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CLERICAL STUDIES.

XXIII.

CANON LAW.—I.

HUMAN conduct is ruled principally by the natural and by the divine law; and it is the mission, as we have seen, of moral theology to verify, to explain and to apply the prescriptions of one and the other to the various conditions and circumstances of human life. But, even when thus expanded, neither the natural nor the divine law, separate or combined, has ever been found sufficient for the guidance of man, so long as they have been kept strictly within their respective limits. Clear and precise, touching many forms of duty, they remain, in regard to others, vague and indefinite. Hence the need, felt at all times, to supplement them by further enactments; and this is the first object of human laws: to determine authoritatively, the measure and manner in which the law of nature and the law of God have to be carried out.

A further object of human laws is, to transform into strict duties, positive or negative, the performance or the avoidance of certain actions in which the common welfare is interested, yet not to such a degree as to make them be formally commanded by a divine precept, or by man's moral nature. Such are the religious ordinances of the Church touching public ceremonial or certain practices of the private life; such the numberless enactments of our legisla-

tures, for the security, or for the improvement, of the community at large. In all societies composed of men, there is a legislative power ever at work, organizing, regulating, commanding and forbidding; establishing new rules, and setting aside old ones which have served their purpose. It is a power of this kind, existing in the Church from the beginning, that gives birth to Canon Law.

Canon Law, then, is the same thing as Church Law. It comprises all the institutions, enactments and rules, which take their origin, and derive their binding power, from the authority of the Church.

The existence of this authority is a fundamental doctrine of the Catholic faith. Christ gave to His kingdom on earth the abiding form and attributes of a visible society, with the corresponding power of completing its organization, and guiding its members towards the end for which it was established. Such a power was especially necessary in the Church, Christ Himself having established nothing beyond the supreme authority given to Peter, with the essential elements of the hierarchy, of the sacraments, and of the Eucharistic Sacrifice. All the rest He left to His Apostles and to their successors, to be worked out in due course, under the guidance of His spirit.

In the use of this power the Church proceeded on the same lines as all other societies. In corporate bodies generally there is need, first of all, of some sort of organization, by which their various elements may hold together and work harmoniously, in view of the end for which they have been associated. This organization naturally develops with each society; the more elaborate its functions become, and the vaster its sphere of action, the more its organization grows in complexity; and as they expand together, so also changes in one lead to corresponding changes in the other. The legislative, the judiciary, the executive powers, essential to all societies, gradually take shape, and proceed to perform their different functions. Rules are laid down to determine the forms and limits of their action; the rights and duties of individuals are defined, and penalties of various kinds

are enacted against those who depart from, or disturb, the established order.

All this we find in the Church. First, from the divine root of the primacy and of the episcopate we witness an organic growth gradually embracing, according to the divine promise, all the kingdoms of the earth, dividing them up into patriarchates, provinces, dioceses, etc., with corresponding ecclesiastical dignities, from the Sovereign Pontiff down to the humblest cleric, and assigning to each his respective powers, privileges and duties.

Next, around the Eucharistic Sacrifice the Church builds up a ritual, the most majestic and impressive in its general features, and the most elaborate in its details, that the world ever knew. To the essential elements of the sacraments divinely established she adds the beauty of mystic and symbolic ceremonial.

Again, the better to secure the observance of their moral and religious duties, she surrounds her children with a rampart of special prescriptions, such as prayers, fasts and the like. For those among them who formally devote themselves to the higher life, she shows herself especially solicitous.

Finally, to guide her various courts, established not only under the shadow of the pontifical throne, but in every ecclesiastical province and in every diocese, she has her statutes of procedure, her criminal law, her categories of gross offences, trespasses and misdemeanors, each and all with their corresponding penalties. In a word, the laws and ordinances of the Church assume in turn all the legislative forms to be found in civil societies, while in elaborateness they surpass them all. There is something almost crushing in the very sight of the written records of ecclesiastical law; countless ponderous volumes filled with the decrees of Popes, the decisions of pontifical congregations, the enactments of general councils, of provincial and diocesan synods, the endless commentaries of Canonists; a vast and venerable monument of the solicitude, the experience, the wisdom and the zeal of the Church through all Christian ages.

Such is Canon Law in its broader sense. It comprises the

whole legislative work of the Church, from the directions of St. Paul to the early Christian communities he had founded, down to the most recent enactments of Leo XIII. But in its narrower and more usual acceptation, it extends only to that part of ecclesiastical legislation which is actually in vigor, and it is in this restricted sense that we propose to deal with it in the present paper.

II.

It is obvious, in a general way, that a priest, especially if he be in charge of souls, cannot remain a stranger to the laws of the Church. Even the faithful are bound to know something of them, since they have to observe them, and as a fact such as are of ordinary application find their place in our catechisms, side by side with the Commandments of God. As for the others, it is the mission of the priest to see that they are duly carried out. He is the representative of the Church among the faithful, as he is the representative of God: he teaches her ordinances and enforces them, as he does those of the divine and natural law. Fasts, feasts, religious celebrations of all kinds in which the faithful have a share, the manifold requirements of Christian matrimony, and of the other Sacraments,—whatever, in a word, the Church enjoins habitually, or occasionally, on her children, it is the business of the pastor to know.

But there is another set of laws, much more elaborate, of which he can afford just as little to remain in ignorance; they are the laws which regard himself.

The life of a priest is of such importance that the Church has been always busy about it. In a long series of enactments, many of them going back to the early ages of Christianity, she has taken up and regulated every part and every aspect of it. She has determined the dress he shall wear, and the prayers he shall say, the pursuits he may follow, and the recreations he must not indulge in, as unsuited to his character. She has special prescriptions for each position he may hold, for almost each duty he has to perform. At the same time she watches over his dignity, and secures

him in his rights, placing strong barriers to preserve him from the violence of the crowd, or from the arbitrary action of those above him. In a word, the priest lives and moves by rule; he is guarded by rule on all sides; to the ordinances of the Church he has to turn, in every emergency, and at every step, for protection and guidance, so that here again, in a new and wider shape, a knowledge of Church Law becomes one of the essential requirements of his calling.

But if to the character and ordinary functions of the priesthood any special authority be added, a new and considerable degree of canonical science becomes necessary. A bishop needs it at every turn in the administration of his diocese, and what is true of a bishop is almost equally so of a vicar general, wielding as he does a certain amount, sometimes a considerable amount, of episcopal authority. The same may be said, in due proportion, of all the officers who have a share in the government of a diocese; the Chancellor, the Secretary, the Consultors, the *Procurator fiscalis*, the *Judices Causarum*, etc. All need a special knowledge of the statutes and rules they have to apply, and behind it a more than ordinary grasp of the general methods and spirit of Church legislation. Indeed, we may say that the study of the Canons has been looked upon, almost from the beginning, as one of the ordinary duties of the priest. "Nulli Sacerdotum," writes the Pope St. Celestine, "liceat canones ignorare, nec quidquam facere quod Patrum possit regulis obviare. Quae enim a nobis res digne servabitur si decretalium norma constitutorum pro aliquorum libitu, licentia populis permissa, frangatur." (Dist. xxviii, Can. 4.) It may be interesting to describe in a few words how this solemn injunction was carried out in the course of Christian ages.

III.

The laws of the Church, as all know, came into existence, not in a consecutive, systematic shape, but as a series of decrees or decisions, laid down as occasion required, by Popes, by councils, ecumenical or sectional, by individual bishops, whose wisdom and authority were such, that their

ordinances, and their very maxims were often adopted by other churches, and, finally, became the common jurisprudence of Christendom. Rules of this kind being practically necessary to bishops and priests, collections of them, accommodated to the more ordinary needs, began to be made at an early period, in the Eastern and Western Churches. From the so-called "Apostolic Constitutions," and "Canons of the Apostles," down to the "Decretum" of Gratian in the twelfth century, many such collections were in use. They served as practical guides for the administration of the Sacraments, and for the government of the Church. In the monastic and cathedral schools, where nearly the whole body of the clergy was prepared for the ministry, the canons were taught with the other forms of knowledge needed for the government of souls. But in the twelfth and thirteenth centuries, simultaneously with the systematic organization of theology, there grew up a fuller knowledge, and a more scientific treatment, of Church discipline. To the epoch-making "Decretum" of Gratian (A. D. 1150), were added, a century later, the five books of Decretals, under the official sanction of pope Gregory IX, followed in due course by the collections of Boniface VIII, Clement V, and John XXII, which completed the mediaeval code of the Ecclesiastical Laws. At the same time, new chairs sprung up in the universities, from which Canon Law was taught as a distinct science sometimes by lay teachers as a complement of the civil law. Yet it must be remarked, that it never detached itself completely from theology. In the "Summæ" or pastoral manuals, so common during the latter part of the Middle Ages, the duties of the Christian were expounded in their integrity, irrespective of their origin; and the canons of Church discipline were set forth with the same care as the prescriptions of the natural, or of the divine law. Theologians from St. Thomas to Suarez, and almost to our day, enter freely on the canonical side of whatever subjects they have to deal with, never seeming to think that they are going beyond their legitimate sphere. The same observation holds good of the great Canonists or "Decretists," as

they were originally called. Whenever they fall in with a theological question, in the pursuit of their canonical discussions, they take it up as a matter of course. Indeed it is one of the most noticeable, and most interesting features, in the great teachers of the past, that they seem equally at home, whatever be the sphere of thought into which their subject leads them; be it philosophy, history, biblical exegesis, or Canon Law. In our day, and for some time back, the various fields of ecclesiastical knowledge have been marked off more distinctly. The tendency is to cultivate them separately; in fact modern methods have made of specialty a condition of thoroughness in every department. But in our elementary teaching the mediaeval tradition still prevails. Like the "Summæ" of old, our modern handbooks of moral theology are largely made up of Canon Law. In fact Canon Law can claim two-thirds of the important treatises, *De Legibus* and *De Matrimonio*, a notable portion of the tracts, *De Virtute Religionis*, *De Sacramentis*, and *De Obligationibus Statuum*, while the tracts *de Censuris*, *de Irregularitatibus*, *de Praeceptis Ecclesiae*, are nothing but Canon Law, from beginning to end.

In this shape, then, Canon Law never ceased to be taught in our theological schools, and, in a measure fairly equal to the ordinary requirements of the ministry. Yet something more has been deemed necessary. Since the middle of the century, distinct courses of the science have been established in the seminaries of this, as well as of most European countries. So important a measure is due to a number of reasons, tendencies and influences, the principal of which it may be interesting to mention, more especially as they help to explain the position and action of Canon Law at the present day in our midst.

IV.

First of all, it was remarked that the amount of Canon Law to be found in our manuals of moral theology, even if accounted sufficient for the use of pastors, confessedly falls short of what is needed by those who take any active part

in the administration of a diocese. These, indeed, received in other times, and even now in other countries, a special training, yet, as a rule, to-day they are chosen from among the active workers of the ministry, who possess only the sort of knowledge commonly comprised in the preparatory studies of the seminary. It follows that these studies have to be widened in the direction of Canon Law, if they are expected to meet the requirements of a growing number of priests in each diocese.

2. Even the ordinary duties of the ministry occasionally place a priest in positions, in which a more thorough knowledge of Canon Law is desirable. As chaplain, as confessor, he may, for example, have to take into account the duties and privileges of religious orders, or of their individual members, to apply in connection with them to the various Roman Congregations. As pastor it is his duty to carry out the Canonical rules regarding Churches, private chapels, confraternities, cemetaries, hospitals, etc.

3. It is claimed that the very subjects bearing on Church discipline which our manuals of moral theology undertake to treat, would be in better hands if left to canonists. The reason is that moral and canonical questions require a different treatment. Neither their principles nor their methods are the same, and their differences are liable to be overlooked when either canonists or moralists go outside their respective spheres. The same writer or teacher may, indeed, be familiar with both; but the student who has not been trained to keep them separate is apt to confuse them, to the detriment of accuracy and consistency in his deductions. The only thorough remedy would consequently be to make each matter the object of a distinct treatment.

4. The recent development of canonical studies, is a reaction against the general neglect into which they had fallen for many years in various parts of the Church, and which was caused, not so much by voluntary disregard, as by the force of unfavorable circumstances. The political revolutions of France and other European countries, on the one hand, had so completely upset the old order of things, that

many of the ordinary prescriptions of Canon Law ceased to be applicable, and in the work of restoration many more were lost sight of, or deliberately set aside to make room for others which seemed more suited to the altered circumstances. On the other hand, a considerable number of new churches were founded, and, in such beginnings, Canon Law in its integrity being out of the question, much had to be left to the judgment and discretion of individual bishops. Such was the condition of the Church in America during the most of the century, and such it remains in many parts, down to the present day. As a consequence, the old rules were in many particulars ignored, or applied unevenly and intermittently, and bishops were guided by their own sense of the fitness of things.

Such a condition of ecclesiastical discipline could only be temporary. Action by rule is one of the fundamental needs of the Church. Arbitrary methods, however well meant, are distasteful to her, and tolerated only as a transient necessity. To none were these disadvantages more sensible than to the Roman authorities, to whom each day was wont to bring a fresh supply of questions and complaints, mostly arising from the fact that the rules and the spirit of the Church discipline were lost sight of. The obvious remedy was to recall them on all occasions, and to lead back to a more careful study of them. Hence the solicitude of Pius IX, during the whole time of his lengthened pontificate, to enforce the observance of Canon Law wherever its prescriptions could be carried out, and to have it made part of the programme of studies in all Catholic seminaries.

At the same time he aimed thereby to secure another end, most desirable in itself, and to which at all times he attached the greatest importance, *viz.*, the strengthening of the Pontifical power, and, through it, of Catholic unity.

Catholic unity is sustained by many influences, and shows itself in diverse ways, but it consists essentially, as in all societies, in the submission of the members of the Church to the same authority. This authority is, as all know, of two kinds, doctrinal and disciplinary. Now, it is in the

latter principally that the Church's authority makes itself felt. As guardian of the true faith she has comparatively seldom to interfere; as a governing power, on the contrary, her action is unceasing. In this latter capacity she has not only to enact new laws when necessary, but to interpret, to enforce, to modify by dispensation or by abrogation, numberless points in her discipline. To this is due chiefly that active intercourse which unites Rome, the seat of authority, with every part of Christendom, that perpetual flux and reflux of questions, replies, petitions, favors, directions, rules and the like, which, like the life-blood coursing through the veins and arteries, diffuses renewed vitality through the whole system. The great misfortune of the Eastern churches was to have had a sort of independent legislature. They made their own laws, and administered them after their own fashion, appealing occasionally from a lower to a higher local authority, but scarcely ever turning to Rome except for the righting of personal grievances. As a consequence, they hung on loosely to the centre of unity, and it became comparatively easy to detach them from it. This, too, was the evil and the danger of Gallicanism; it developed in the Latin Church a tendency to autonomy, to the detriment of hierarchial submission and vital unity. Had the movement not been stayed by the social upheaval of Europe at the close of the last century, it might have led to the formation of a schismatic Church like that of the Greeks. Now for what remained of the old leaven in various countries of Europe, the most efficacious remedy was to be found in the full acceptance and application of Canon Law, with its visible centre in the Pope and the Roman tribunals, and its action extending to all the details of the Church's organization and life. Hence the policy of Pius IX, taken up and carried out by the bishops and priests most devoted to the Holy See, with the result of imparting to the whole Church a unity of action and spirit such as never perhaps was witnessed in the same degree at any previous period.

Lastly while the general interests of the Church were thus leading Rome to encourage the study of Canon Law as a whole, some special questions of the science were becoming a

subject of close examination and earnest discussion among certain members of the clergy. We refer to the laws which regulate the relations betweeen bishops and the priests of their respective dioceses.

The mutual rights and duties of both had been defined clearly enough by the ancient canons, and courts accessible to all were ever open and ever ready to enforce them; but this, as we have already observed, corresponded only to the normal condition of the Church, with all her organs and functions in full play. Where they had been broken up, or, as in newly founded communities, had never been established, the old rules were unavailable, and bishops, in their dealings with their priests as well as with their people, had to be guided, in many instances, by the requirements of each case and by their own sense of justice. Their action, as a rule, was not questioned; but the nature of things forbade the rule to be without exception. To say nothing of those of the clergy who might be considered somewhat untractable and self-willed, the very best might occasionally feel aggrieved, and be led, on grounds of general no less than of personal interest, to seek redress. And as their only hope lay in the protection extended to them by the common law of the Church, they naturally turned to the study of it, and made its enactments the basis of their claims with bishops, or of appeal from their action to the authority of Rome. The Roman authorities, on their side, always dealt with such appeals on the principle that the common law had to be carried out so far as circumstances permitted, thus making it a necessity for the bishops to keep it steadily before their eyes and conform to it whenever possible, unless where it had been superseded by the enactments of provincial or national synods sanctioned by the Holy See.

Thus it has come to pass, that the long neglected study of Canon Law finds itself again in the front rank, and is sure henceforth to hold its place in the elementary, as well as in the higher spheres of ecclesiastical studies.

In what spirit and in the light of what facts and principles it should be pursued, we will endeavor to show in a subsequent article.

J. HOGAN.

THE STUDY OF CANON LAW IN THE UNITED STATES.

First Article.

IT is a common objection heard among ecclesiastics, not only in the United States, but elsewhere: "What is the use of studying Canon Law? It has no application in this country, it is antiquated, etc." In vain do the professors of our seminaries and writers of theological books inveigh against this prejudice. It only takes deeper root, despite learned treatises "de praestantia et utilitate juris ecclesiastici."

For our part, we have a very decided conviction on this subject. It must be admitted, that the useful application and operations of Canon Law, are a fact no less patent than the existence of the Law itself. These operations are as necessary to the existence of the Church, as are the muscles for the exercise of bodily activity. The life of the Church grows vigorous, in the same proportion as her law is observed and respected; and we have no hesitation in saying that the more familiar a priest is with Canon Law, the more he is capable of entering into the true spirit of the Church, and, in consequence, of appropriating to himself the wealth of erudition and ecclesiastical knowledge, which lies open to him for his own use and the advantage of the faithful confided to his care.

It is easy to realize this fact, if we reflect what is the meaning of Canon Law with regard to the Church at large, and in respect to her members.

It is a truism, yet one requiring constant re-assertion, that no society can subsist without laws to regulate its various departments, and to direct them toward the chief end for which the society is established. We look upon the different Catholic usages, upon the customs of the religious life, upon the practices to which we have become inured from childhood, as quite natural, yet they are after all nothing more or less than the expression of the rules which Canon Law determines for our guidance. Councils have established laws; the Sovereign Pontiffs have made constitutions; the Fathers

of the Church have formulated maxims, and the customs of different nations have introduced methods of actions, which have been passed down, from age to age, as a safe norm for posterity. When doubts have arisen or difficulties presented themselves, the pastors turned to the centre of Catholicity, and placed their questions before the Chief of the Church. He, directly or indirectly, through special commissions, gave the decision, which thenceforth became a standard of action in analogous cases of ecclesiastical discipline.

These diverse sources of practical law, it is plain, must be studied. We must ascertain their underlying principles, as well as the consequences which flow from their application; and, unless the mind is previously trained by a special exercise in this direction, it is impossible to place a right estimate upon the detailed rules which Canon Law lays down. We cannot rightly interpret these rules, unless we have previously penetrated into their spirit.

Hence it becomes necessary to consider, in the first place, the fundamental principles upon which Christ has established His Church, and, in the next place, to examine the disciplinary decisions which this same Church has wisely conceived, in order to render the attainment of its supernatural end possible and easy for her children.

Surely this aspect is sufficient to arouse us to a proper appreciation of our subject matter. *Nulli sacerdotum liceat canones ignorare*, for they contain for the priest matter of the deepest interest and greatest practical importance. We might say that this is particularly true in the United States of America, where everything that is practical draws the attention and captivates the energies of the people. For there cannot be found a safer guarantee for the strengthening and continuance of the prosperity the Catholic religion enjoys at present, than the solid and broad basis of the Church's legislation, which has been cemented by centuries of experience and faith. This motive alone is sufficient to invite the young clergy to devote themselves, with ardent zeal, to the study of that legislation.

Nor would we limit ourselves to urge this pursuit upon the

special attention of ecclesiastics only. It would be of unquestionable advantage to the large body of the Christian people if they were better acquainted with the canon of Church legislation. Why should not the preacher explain to his flock the Christian principles which have always served to guide the Church, and have given to her that magnificent strength, that grand unity, that widespread influence, which have enabled her not only to survive the attacks of hostile governments and infidel factions, but invariably to conquer her enemies, and to triumph over the calumny and the malice of impiety directed against her? Such instructions might often fitly take the place of those insipid and useless discussions regarding passing topics of the day, of those lengthy announcements of collections, fairs and bazaars, and of those senseless aspersions and personal animosities, even against the bishops, of which the Catholic pulpit is not wholly free. It would be well if the clergy gave to the laity an insight into, and an understanding of, the secret of that marvellous cohesion, that wondrous concord in the Church, which extends back through the ages to Christ her Founder; which explains that singular unanimity of doctrine, that harmony of discipline, that unhesitating obedience to the laws of the Church, together with an enlightenment full of keen understanding for the mysteries of her faith and practices, such as cannot be found in any other society of men.

To preach the truths of dogma, the obligations of moral theology, is, I admit, the first duty of the clergy; but these may be aptly co-ordinated and interwoven with the demonstration of the origin whence they spring, with the proofs of the authority upon which they rest, and which entitles the preacher to his very office of divinely appointed expounder of the moral law. I propose, in a subsequent paper, to point out the relation which Canon Law holds toward the other branches of ecclesiastical science. Suffice it for the present to have merely indicated that it is a study far from useless or superfluous to our laity. But who is capable of explaining in a worthy manner to our people the beauty of the constitution of the Church, the wisdom of her usages, and the

justice of her decisions, if the clergy prefer to occupy themselves rather with curious questions of economics or politics, and neglect the profound study of that religious spirit which finds its clearest expression in Canon Law, simply because they look upon this study as supererogatory, or as too difficult and too barren of immediately advantageous results?

There is another motive upon which I should urge the study of Canon Law. Every professional body has its special rules to which the members are obliged to conform their conduct. For the clergy these rules which point out the particular duties of their state, are to be found in Canon Law. This plea is sometimes answered by some such rejoinder as: "Oh, we have the Council of Baltimore, that is Canon Law enough for us." The absurdity of such an objection to the systematic study of Canon Law, strikes us as being the same as if one answered the argument for the necessity of a study of theology, by saying: "Oh, I know the Apostles' Creed." It is certainly true, that the Third Council of Baltimore is an admirable and orderly digest of certain legislative dispositions and particular recommendations to promote ecclesiastical discipline in the United States; but it presupposes a general knowledge of the common law. Hence in the points which it selects for enforcement of certain enactments, we require, for well nigh each separate article, constant reference to some commentary, and explanations which would fill a volume if they were printed in full. To take the Council of Baltimore for a digest of Canon Law is simply ridiculous.

There is, however, one objection which deserves more attention, because it appears to have some real influence upon the minds of many ecclesiastics, and which is sometimes very hurtful in its results. It is usually couched in discreet phraseology, and its true meaning must frequently be divined from words and smiles, which leave something unsaid but plainly understood. In blunt form it amounts to this: "Our bishops are not in favor of the study of Canon Law, and they look rather with suspicion upon those of the clergy who devote themselves to this branch of the ecclesiastical sciences." It seems to us that this reproach expresses a

grave injustice. No doubt there are some among the bishops who have not sufficient appreciation of this important branch of ecclesiastical discipline, but these would not warrant a general conclusion so sweeping as that implied in the above remark.

The reason why certain bishops might hesitate to encourage any decided partiality for the study of Canon Law, may perhaps be found in the fact, that there are, occasionally, some hot bloods, or sore heads among the clergy, who make a study of Canon Law for the purpose of finding, in that arsenal of ecclesiastical laws, some two-edged swords which might serve them as weapons of redress. . . . For our part we are convinced that our bishops have nothing whatever to fear from Canon Law, which is their guide and best safeguard. Any excess in the exercise of his power, is to bring to a bishop a loss of consideration and esteem, of authority and legitimate influence. Any person who has taken part, however limited, in the arduous task of administration, must have noticed how readily men in power are led to observe a certain prudent reserve, a careful attention to legitimate rights and the responsibilities of office, with regard to subordinates. Misunderstandings may arise, errors may be committed; nay, real injustices may be connived at or even intended. In such cases it is hard to make admission of the error, even under the plea of oversight and exception. The result will be ugly encounters, of which we have many instances in the Church. But we do not hesitate to affirm that in these cases the real, perhaps the only reason, is the non-observance of the canonical law. Hence the best interests of the bishops themselves require that they strictly observe the code of Canon Law, that they be familiar with its spirit, and hold fast to its decisions. They are thus enabled to defend themselves against the charge of ill-will and of partiality; they retain for their ordinances the sanction of law with the higher authorities, and they conciliate, at once, the sympathy and the respect of their priests.

But it is not sufficient that they themselves be conversant with the law, and make use of its provisions. The clergy,

too, must be permeated with its spirit and know how to appreciate it. Not only does this knowledge forestall mistakes and prevent oversights, thus closing the way to numberless possible difficulties, but in the event of ugly differences occurring, it lights up the difficulties and renders their eventual solution easier.

We may be allowed to say that the chief of a diocese should be surrounded by canonists. For the Vicar General, a knoweledge of Canon Law is absolutely essential; the diocesan Consultors, whose position obliges them to assist the Ordinary with their advice in affairs of the gravest character, can hardly acquit themselves properly of this duty, unless they are conversant with the disciplinary prescriptions of the Church, and with the subject of ecclesiastical procedure. The same is true of the offices of the diocesan Promoter and the Chancellor. We need not go into details to demonstrate how far the actual practice is out of conformity with the requirements of the theory. No one would think of entrusting the construction of a steam engine to a printer or a carpenter; why then are men, who are practically ignorant of the most difficult and complicated science of ecclesiastical law, placed at the head of a diocese, to manage the most delicate and difficult of offices!

The bishop has, therefore, as much need of canonists as he has of able apologists, devoted missionaries, prudent confessors, and learned professors for his seminary.

It may be said, perhaps, that we have got on very well without canonists so far, and things have not gone so very badly. We beg to deny this. Things have not gone on altogether without canonists. The Sacred Congregation of the Propaganda has, moreover, found a thousand ways to prevent, repair, suggest and correct things, after the fashion of a master who guides the first personal efforts of a beginner. Besides, although we do not wish to insist too much on this point, even granted that things have thus far gone really well, there is no reason why they should not go still better. In effect it was necessary to be very much on guard, and whilst we allow that with a poor implement good results

have been obtained, it is surely likely that they will be much better if we avail ourselves of a finer instrument. Our divine Master Himself did not begin by instituting bishoprics and Cathedral chapters. He first sent his Apostles to the four corners of the world, that they might scatter the good news and make converts. After that, He deemed it necessary to provide certain measures, with a view of confirming these converts and of rendering certain the benefits of their conversion, to sustain their good-will by forming them into separate communities, to administer to their essential needs, to prevent abuses, repress disorders, and separate the unworthy. In this new land of America, the growth of the administrative element of the Church has proceeded in something of the same logical fashion it did in the first centres of Christianity. The first aim was to make converts; next, it became necessary to think of a method whereby to preserve the acquired fruits, and to safeguard the souls won at the price of so many laborers. To-day, if we were to neglect the wise rules which the experience of ages has dictated in the government of the Church, we should soon have to lament more losses than previous gains; we would scatter, instead of gathering in.

From what we have said, it is evident that looking upon the matter in the light of wisdom and good administration, the Church of America has arrived at an epoch where it can no longer set aside the study and practice of the essential elements of Canon Law, which have hitherto been somewhat neglected. Just as the generous tree, though erect whilst it carries the fullness of blossoms which promise a numerous growth of fruit, yet requiring support when autumn comes, lest its branches break beneath the weighty burden, to the destruction of the crop, so also does the Church, hitherto nobly erect beneath her flowering harvest, demand a support to preserve her ripened fruits, lest these be lost.

It is wrong, then, to suppose that the American episcopate looks with suspicion upon the study of Canon Law. No element in the Church has so much reason to feel its necessity, and to wish for a realization of its beneficent action.

Hitherto it was largely impracticable for the clergy to devote any attention to this important branch of study, because the youth begins his studies in Latin at a comparatively late age; he is then obliged to pass quickly through the departments of moral theology, dogma, biblical science and Church history, branches which are absolutely indispensable in order that a priest may exercise *any kind of ministry* in a diocese. This condition of things, however, cannot last. In proportion as the level of instruction rises, the bishops will find it advisable to imbue their young clergy with the more elevated ecclesiastical spirit, which so abundantly germinates from the study of Canon Law.

For the rest, even if there should be some among the hierarchy who do not recognize this necessity, it will eventually force itself upon them. The establishment of an Apostolic Delegation in the United States, the reasons for which have been so variously, and in some cases, so strangely interpreted by the press of this country, must of necessity result in a permanent affirmation of this obligation, which is to regulate henceforth the government of American dioceses according to the established and exact requirements of the law of the Church.

The institution of the delegation at Washington marks, in truth, a very important phase in the ecclesiastical history of this land. Despite a strongly opposing prejudice on the part of a certain portion of the clergy, and the excessive conceptions or narrow views of certain factions, one result, which they little anticipated, has been made manifest, namely, the absolute necessity of giving more attention to the study of Canon Law than has hitherto been admitted as requisite. It is to be expected that the possibility of early regulating and strengthening the ecclesiastical government in the United States, will result from this study. The constant appeal to the observance of the obligations which flow from the unity and Catholicity of the Church, will assuredly bring about, in course of time, that happy religious harmony which comes of faithful application to the study of Canon Law. In place of the imperfect procedures hitherto em-

ployed for the settlement of the gravest questions, as a mere transitory makeshift for their solution, it will be necessary henceforth to use the stable norms of canonical legislation. The last Plenary Council had already announced this fact, and the Apostolic Delegation will make efforts to have it observed. Where, then, will the bishops find competent officials, acquainted with the minute and manifold rules, according to which they are to exercise their power? They must look for them now; for jurisconsults can not be improvised, and canonists are not born into the world. It requires a long and serious apprenticeship, a patient, practical training, which is accomplished by assiduous study of the standard authors, together with practice in the management of ecclesiastical affairs. Without this essential preparation, the clerical administration exposes itself to errors manifold, and to injustices often deeply humiliating. For this reason, doubtless, the members of the hierarchy have already begun to strongly realize the necessity of surrounding themselves with priests well instructed in canonical science; in order that they may avoid all sorts of illegal procedures, and not expose themselves to the danger of finding their decision reversed by the higher court of the Apostolic Delegation. Far from showing any unfavorable disposition, or the slightest reluctance, toward those of their priests who find any inclination to study Canon Law, they will likely foster it, and favor the application to its pursuit in those who possess any aptitude for it, inasmuch as they may hope to find in them the strongest support of their authority.

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SOCIAL SCIENCE.

AN AID IN THE MINISTRY.

IT is only in the present age, that the sciences which have for their object the investigation of the laws that govern the material and social well-being of the human family, are receiving the degree of attention which is commensurate with their importance. The pursuits of polite letters in past ages, and the productions of ancient and modern literature, afford illustration of the saying, that men are concerned with the ornamental before devoting their serious attention to the merely useful. It seems obvious to us, that nothing should be of more importance to society than the scientific study of social phenomena; but, though there are some writings on this topic from the ancients, in particular those of Aristotle, the subject was not studied as a science until it was taken up, toward the end of the last century, by the so-called Physiocrats in France, and by men like Adam Smith in England.

In this day of systems, the founder of the Positivist school of philosophy, although he assigns social themes the lowest place in the hierarchy of the sciences, yet he claims for them the first place in the order of their importance to man himself. Herbert Spencer, the high priest of the Evolutionist school, while protesting that his differences are many and fundamental, nevertheless, agrees with Compte on this important point. It is said by a writer on Political Economy, that "it has nothing to boast of so striking to the imagination as the triumphs of the astronomer or the chemist, but it is not too much to say that it is more intimately connected with human happiness and well-being than all the other sciences put together."[1]

The student of Catholic theology, devoting as he does so large a portion of his time to the study of morals, and investigating the nature and office of society from the ethical rather than the economical standpoint, will naturally think that it needs no nineteenth century philosopher to tell us

1 H. D. McLeod, *Prin. of Pol. Economy*, page 16.

this. The great fact prominent in the writings of the theologians of the Church is, that man, and not nature, is the center of their philosophy. They esteemed the sciences in the order of their benefit to man for his spiritual and temporal ends. It would be absurd to suppose that we shall find in their writings explanations of the laws of rent, or the theory of exchanges, or solutions of other problems which arise out of the peculiar conditions of our modern industrial era; but we shall find in them profound expositions of those fundamental and immutable principles that subsist through, and should govern, all the transitory states of human society.[1]

Since the days of Adam Smith, the investigation of the laws governing social progress, and in particular of the production and distribution of wealth, has occupied the larger share of the attention of learned men. In our days there is a vast and ever increasing mass of valuable data on these subjects. Men are devoting serious study to social phenomena, and are seeking remedies for social evils, in a scientific spirit. The evils of our system are not new, but what is new is the enlightened endeavor to remedy them. Men no longer put forward hap-hazard efforts to reform society: and even statesmen are learning to apply Bacon's maxim to public affairs, and strive to control nature by obeying her. "Natura nonnisi parendo, vincitur." Now all these studies are nearly allied to the work of the Christian minister; and there are few who can make a better or more valuable use of the knowledge afforded by the multitude of investigators in the various branches of social science. It can hardly be doubted that an acquaintance with the principles of social science is an admirable reinforcement to a priest in the work of the ministry, and especially in carrying out the duties of

1 "In the earlier ages of the Church, social science was cultivated to a greater or less extent by theologians, and there is much in their writings of which note must be taken in any history of that part of social science called Political Economy. This is particularly the case, it needs scarcely be said, with the writings of St. Thomas Aquinas in the thirteenth century."—R. T. Ely, *Social Aspects of Christianity*, p. 10.

practical benevolence ; and it has even been questioned if he can, in our day, attain the full measure of his efficiency as a minister of the Gospel, without some such knowledge. It is a mistake to suppose that such studies are the peculiar province of the legislator and the statesman. The priest by every title is interested in any cause promoting human welfare, and social studies are valuable to him, not that they may enable him to teach a nation how to grow wealthy, but that they may enable him to promote human welfare, which is often a much different thing.[1]

The object of a priest's calling and the supreme purpose of his life is the salvation of souls. He obtains his own salvation by assisting others to accomplish the great object of their existence on earth. His kingdom, like that of the Divine Master, is not of this world. While keeping the end in view, it becomes necessary to devote attention to the means by which it is attained, and these means consist, to a great extent, in the correct use of the material goods which have been provided for us. This is the mission of the priest to men as individuals, and his great aim is to assist each one to accomplish his eternal salvation. But he has also a mission to men aggregated in society. The priest devotes himself to human welfare, and strives to have the teachings of the Gospel realized, not only in the private affairs of the individual, but also in the economic affairs of the nation. The great teaching of Christianity to human society is, that if all men should seek first the kingdom of God and His justice, the supplying of the material needs of society could be easily effected. And it is here that we find the difference between the statesman and the Christian minister ; for the former seeks the welfare of society in legislative enactments alone, while the latter strives to give men the moral fitness which alone will make such enactments efficacious. The

1 It is the judicious remark of a non-Catholic writer that, "to no class in the country does the demand for a knowledge of economic principles and for a practical realization of the means by which the masses of men should be touched, appeal with more justice and force than to the educated ministry of the country."—Prof. Laughlin, *Study of Pol. Economy*, p. 100.

more deeply we study human society in its various phases, the more we become convinced that if men would seek first the kingdom of God, our social evils would be greatly diminished, and society would be in a much happier and more prosperous condition. A discriminating study of social science will afford ample illustration of this great truth of the Gospel.

There is an attempt made by socialists of the school of Proudhon and Marx, to persuade the working classes that the Church is indifferent to their material interests. They claim that the Church is only mindful of the spiritual interests of man, and regards social evils as part of the divine scheme. The irreligion of socialism is chiefly due to this misconception of the attitude of the Church toward the temporal interests of society. The Church has always been mindful of the material interests of humanity, and the best features of modern civilization are the direct fruits of the teachings of Christianity. The prophets of old were foremost in rebuking the iniquities of tyrants and the organized injustices of society; and the Encyclical of Leo XIII on "The Condition of Labor" is abundant proof that the Church in our day is by no means indifferent in regard to the temporal welfare of the human family.

From a knowledge of social science, a priest will derive much aid in discovering the many evils that arise out of modern industrial conditions, and will be enabled to discern the best practical remedies and the correct modes of applying them. A priest's daily duties bring him in frequent contact with many evils that result from the inequalities and maladjustments of human society. He can realize that we are not living in an ideal state of human society, and that we have a vast field to traverse before we arrive at Utopia. It would be an optimistic rhymster who, after investigating the evils of modern society, would tell us that in society, as we to-day find it, whatever is, is right. In civilized society vast numbers are born to conditions of poverty and wretchedness, from which in later years they are unable to extricate themselves. The great disgrace of civilization, known as the

social evil, is said to result in great part from economical causes. The poet has summarized a whole chapter of modern evils when he speaks of

"The chronic feud of rich and poor."

To seek remedies for all these social evils is within the legitimate sphere of a priest's calling, and appeals most powerfully to his charity and enlightened sympathies.

Broadly speaking, it may be said that the evils of society arise from infractions of the great laws of justice and charity. Whenever we find something amiss in our social conditions, we shall also find, by careful tracing, that it is due to some failure in the observance of these great moral laws. Now some knowledge of social science is necessary to guide us in fixing the responsibility for the social evils which come under our observation. When questions of justice arise, the greatest caution is required; and there must be some knowledge of the conditions, before we can pronounce a safe judgment. It requires study to ascertain the true causes of social evils, and the explanation nearest to hand is not always the true one. The study of the responsibility of modern social evils is necessarily a most complicated one, and many elements must be considered in each problem. In studying these subjects by the light of science, we shall sometimes discover that injustice may be found where it was supposed not to exist, and that individuals are blamed for evils for which society itself is primarily responsible.

Another important consideration upon our subject is, that all the problems and all the so-called laws of social science have an ethical aspect; and it is owing to the regrettable fact that this side has not been sufficiently attended to, that much of political economy has produced such barren results, and that, to a certain extent, it merits the stigma of the "dismal science." We cannot take a step in economics without coming across ethics. Social science deals with social units, and social units are human beings, and hence this science cannot be divorced from ethics.

Human society has often been compared to an organism. In the earlier stages of growth, there is comparative

simplicity of structure and but slight co-ordination of parts. The individuals composing it lead an isolated, independent life. A man's relations with others are few, and the sphere of his duties is but small. As society grows, there is an ever increasing complexity of structure and integration of parts. The economical division of labor, which is so characteristic a feature of advanced society, and which was first noticed by Plato, is greatly extended and elaborated. Society becomes dependent for its existence on each of its great industries. The moral relations of the individual become as extended and complicated as the social phenomena of which he forms part. The principles of morality remain the same, the law of charity does not cease, nor does the law of justice change, but there is infinite variety in the detail of their application.

All these profound social changes bring new questions before us. Each age has its own great questions. The problems of Greek civilization were not the problems of Feudalism, and the problems of Feudalism are not the problems of the industrial era. Now these problems presented by the ever-changing conditions of society involve questions of human conduct, and hence a thorough knowledge of the conditions is necessary, before we can make the correct and certain application of the principles. For a proper understanding of all these questions we must be equipped with a certain amount of economical knowledge. We cannot deal justly with rival claims of capital and labor, without deep study of the questions involved. Before discussing the justice of economic rent, it is well to know what economic rent is. If we wish to know the equitable proportion of the rewards of industry, we must understand the factors of production and their mutual and intricate relations. In all these questions, which are of the deepest ethical import, a knowlege of the phenomena from which they arise will greatly aid us in arriving at correct conclusions. The laws of social science, such as the law of wages, the law of rent, the law of population, have been regarded as physical laws, and they are frequently invoked in justification of modern

evils. The laborer, for instance, when he strives to better his material lot, is told that he is contending against nature's decrees. These laws may be accurate as descriptions of existing conditions, but it is a mistake to suppose that any necessity or inviolability attaches to them. A knowledge of social science particularly aids a priest in dealing with these larger questions of human welfare, and in forming true estimates of the justice of human institutions.

A knowledge of social science is of value for the sake of combating the errors so often put forth in its name. There is much taught in the name of this science, that is neither justified by sound reason nor by sound moral principles. An acquaintance with the sources of such errors will enable us more successfully to combat them. The problems and questions of social science are so intimately connected with the affairs of each individual, that the lack of sound thinking and the want of good ideas, cause many to adopt fanciful notions on this subject. Men often judge a plan by its correspondence with their feelings and inclinations, rather than according to correct principles. Our days are prolific in schemes of confiscation and spoliation. We have panaceas more brilliant than just, more promising than safe. The most insidious errors are presented to the public with an entrancing eloquence, and sophisms that are dangerous to human welfare, are perhaps nowhere so powerful as in this science, and nowhere with such difficulty dislodged. Of course such schemes have followers because of the modicum of truth they contain. It can hardly be claimed that men will adopt a scheme or approve a plan which is palpably unjust. It is the wise and accurate observation of Sydney Smith that "errors to be dangerous must have a good deal of truth mingled with them. It is only from this alliance that they can obtain an extensive circulation; from pure extravagant and genuine unmingled falsehood the world never has and never can sustain any mischief."[1]

1 Quoted by W. S. Lilly, *Century of Revolution*, p. 178.

It is frequently said that nothing more is needed for the ills of society than the principles of Christianity. There is nothing more certain than that every true and efficacious plan for the reformation of society must be based on the principles of Christianity, and all plans which are not based on these principles will work to the injury, rather than the benefit of society. No knowledge of social science will supercede the principles of the Gospel, but it may greatly aid us in making the application of these principles to the problems of modern life. Before a remedy can be applied, the exact seat and nature of the disorder must be ascertained. There is no one who by the nature of his office can do more to bring about a better and happier condition of society than the priest, and this has always been an object dear to the Church. Social science is of the greatest aid to him in applying the principles of Christianity to the great problems of modern life.

There is increasing attention paid to these studies in our days with happy results. The late Bishop Ketteler, who wielded so much influence in Germany, was a deep student of social questions. Cardinal Manning was a conspicuous student of social problems, and the Holy Father has exerted strong influence in this direction, which is making itself felt also in this country. The protestant churches are greatly perplexed by the problem, how shall the ministry of religion reach the masses. This problem does not confront the Catholic priest. The Catholic Church is the Church of the people, of the poor, of the oppressed, of the masses, because it is the Church of Christ. It is the opinion of many wise observers that the Church has never had so grand an opportunity as she has in our day. A knowledge of social science will enable the priest to better realize the grandeur of this opportunity, and to make the wisest and noblest use of it.

FRANCIS W. HOWARD.

THE DUTY OF CONFESSORS IN RELIGIOUS COMMUNITIES OF WOMEN.[1]

I. THE GRAVITY OF THE DUTY.

PRIESTS who are called by their Bishop to act as Confessors to Religious Communities, should be convinced of the grave responsibility which this duty imposes, since on them depends the spiritual progress, not only of the individual religious, but also of the whole community. They should, therefore, make themselves thoroughly familiar with sound theology, as set forth in such approved writers as St. Thomas, St. Francis de Sales, St. Alphonsus, Roderici, Scaramelli, and others; lest, perchance, they should be as blind leaders of the blind, with the danger of both falling into the pit. And since only they can aptly direct and instruct others in the ways of eternal life who have first trained themselves to walk in that path, confessors should not allow their knowledge of theology and perfection to remain mere barren precepts of doctrine, but by daily exercise should grow strong in the practice of virtue, especially in the habit of prayer and meditation on divine truths.

II. THE DIRECTION OF SOULS DIFFERS FOR DIFFERENT COMMUNITIES.

It is well known that the form and constitution of the various religious Orders differ from one another. There are those who follow the contemplative life, and others who are devoted to the duties of the active life. Among the followers of the contemplative life, as well as among those who are given to the pursuit of what is called the active life, there are again different communities of religious, professing distinct rules. Each of these has its own peculiar features, that is to say, certain characteristics which constitute its distinct form. Now it is plain that the direction of souls who are

1 Prepared from a paper by his Eminence the Cardinal Archbishop of Cologne, entitled *Instructio pro Sacerdotibus qui ad Confessiones in Religiosis Mulierum Domibus Excipiendas Designantur*, which the eminent author, at our request, kindly permitted us to translate.

pledged to the pursuit of perfection in such a variety of ways and in different communities, whilst it is substantially the same and alike, requires nevertheless that the confessor should recognize the need of a choice in the means he makes use of. These means require a careful distinction as to which of them is suitable to one or another of different communities.

The priest, therefore, who is appointed by the bishop to act as confessor of a religious house, should make it his first duty to study the rules and constitutions of the particular order to which the community belongs. He should enter, as it were, into the spirit of the founder or foundress, and familiarize himself with everything which throws light upon the purpose and work of the order, so as to make this knowledge effective in gaining for himself the trust and confidence of the religious, which is so necessary to one who would act as their true guide and counsellor.

III. THE CONFESSOR IS TO TEACH HIS PENITENTS TO EMPLOY THE ORDINARY MEANS OF REACHING PERFECTION, RATHER THAN LEAD THEM BY EXTRAORDINARY WAYS.

The confessor must remember that Christian perfection, to which every religious is by her profession bound to aspire, consists, according to the sound teaching of Catholic theologians, such as St. Thomas Summa II, 2 qu. 184, sq.), not in the performance of extraordinary works, nor in the sublime ways of the mystic life, but in possessing, exercising and increasing, the virtue of divine charity. This theological virtue, while it ordinarily manifests itself and grows in the observance of the divine commandments, and in all those operations of virtue which proceed from the motive of charity, is maintained and increased in the hearts of those who profess the religious life, principally by their faithful observance of the rules and constitutions which their holy Institute prescribes for their sanctification.

Hence the main efforts of the confessor must be directed to the scrupulous observance, on the part of his penitents, of their religious vows. He should warn them against the

slightest infringement of the sacred pledge of poverty, both in external matters and in the interior disposition of the heart. He should urge on them, with all caution and becoming discretion, the observance of virginal purity, together with the spirit of self-denial and mortification of the senses. He should teach them the value and necessity of unfaltering obedience to the commands of their superiors, to their rules and constitutions; and this not only externally, but with that perfect readiness of heart which makes no exceptions, which sees and intimately feels that the rule of obedience is, for the religious, the manifestation of God's will.

Let the confessor stand on all occasions for the observance of the daily order of the community; let him be solicitous that the religious under his guidance be assiduous in the performance of the common exercises of devotion, in the saying of the Office of the Blessed Virgin Mary, and of whatever vocal prayers and devotions (in choir or out of it) that are prescribed by the rule; also that they attend punctually, and with great reverence, the Holy Sacrifice of the Mass. Let him direct each to attend with care and fidelity to the work assigned to her by the superior, whether it be within, or outside of, the convent, and let him warn them not to interfere, or concern themselves, with things not committed to them. It is of great importance that the rule of silence, as prescribed by the constitutions of the order, be scrupulously kept, since it conduces much to the observance of the other rules.

For Sisters, whose duty it is to teach the young, or to attend the sick, or to visit the poor in city or country, there is especial danger of distraction, since they come in frequent contact with the world. Let the confessor admonish them to beware of this contagion, to nourish in their hearts the spirit of devotion, and to keep vividly before them the presence of God, by the frequent use of ejaculatory prayer, which will fortify the soul against all dangers. Above all things, he should recommend them to appreciate the holy and salutary exercise of meditation, by which they become accustomed

to commune joyfully with their divine Spouse, and to set aside all earthly friendship in the thought of this sweet familiarity with the heavenly Bridegroom. Nor let him cease to remind those religious who observe the rules of cloistered nuns, that the distractions of the parlor invariably tend to diminish the fervor of the religious spirit.

It is a matter of the greatest importance that he foster mutual charity among the religious, and perfect agreement with their superiors. For this reason, he should urge that all, so far as circumstances allow, be present at the common exercises, and especially at the recreations. If he discover anything that may be a source of offence or enmity, let him seek to remove the same, and to prevent the growth of party spirit, or of particular friendships, to the utmost of his power; since these divisions are, according to the expression of the masters of the spiritual life, the beginning of unlimited hatred, and a corrupting pest of the regular discipline of conventual life.

IV. THE RECEPTION OF HOLY COMMUNION.

Since the decree of the S. Congregation of Bishops and Regulars (17 Dec., 1890), declares that it is only the confessor who is to settle how often a religious is to receive Holy Communion, it is to be expected that he will be solicitous to see that, as far as possible, the nuns approach the Holy Eucharist worthily, and with fruit, as often as is prescribed by the rules of their Institute. When there is a question of permitting a more frequent approach to Holy Communion, he should make sure that the conditions laid down by experienced theologians (such as St. Alphonsus in his *Praxis Confessarii*, n. 152) be verified. He should take care that motives of vanity, superficial devotion, emulation, or self-love, should have no share in prompting the frequent reception of Holy Communion, outside of the ordinary times. Young confessors, who are easily influenced by a plea of devotion, must be especially on their guard against allowing religious to go to Holy Communion more frequently than the rest, when their

daily life gives no evidence of virtuous conformity to the perfection of their state, or scandalizes those around them.

V. THE PRUDENCE AND DISCRETION REQUIRED BY THE CONFESSOR.

In his intercourse with his penitents, the confessor must act with that care which prudence and discretion suggest. The Sovereign Pontiff Clement XI, wisely ordained that only priests advanced in age[1] should be appointed confessors to religious communities of women. If the scarcity of priests does not always permit the observance of this precaution, it is all the more incumbent upon the younger clergy who are occasionally deputed to this responsible duty, that they avoid everything which may cause them to be charged with imprudence or offence. Accordingly, they are never to hear confessions unless in the confessional with *crates*.

A confessor should ordinarily hear his penitents once a week; beyond this, it should be his aim to avoid having any conversations with them individually, not even with the superior, unless there be a just and urgent reason; nor should there be any needless correspondence between them by letter.

In the confessional, while at heart full of gentleness and patience, he should be rather severe in his manner than familiar; he should show no partiality for any one in particular, and should not speak of things that have no reference to the confession, nor permit his penitent to do so.

While his duty is not merely to act as the judge of the conscience that has been opened to him, and to absolve the penitent, but also to point out the way of attaining higher perfection in the religious life, yet it is by no means desirable that he should draw out admonitions at great length. Let him rather be brief, and give advice with prudent sobriety, using a few efficacious words suitable to the condition of his penitent. Nor is it wise to suggest, or allow, frequent

1 According to the declaration of the S. Congregat. Ep. & Reg., a confessor of religious nuns should have attained at least his fortieth year.

general confessions, or to require that the nuns make such a confession to him almost immediately after his appointment to the position of confessor, under the pretext that he might be the better able to direct their souls.

Another point which requires caution, is the giving of penances after sacramental confession. Nothing should be required from the religious which is contrary to the constitutions and rules, or to the customs of the community. The same is to be said of the works of penance which are voluntary, and are undertaken by his advice or permission. For, while the use of mortification, external and even extraordinary, has the sanction, through many ages, of the examples of the saints, and the approbation of the Church, yet it is very necessary to keep the exercise of it within those prudent rules laid down by the masters of the ascetic life, and by learned theologians like St. Alphonsus (*Praxis Conf.* n. 145 sq.). Ordinarily, no practice of this kind should be permitted by the confessor, until after prudent consultation with the Superioress of the community. When there is question of religious given to the active life, the confessor should be exceedingly slow to allow external mortifications of an extraordinary nature; nay, he should use every means in his power to prevent such practices as excessive fasting or abstinence, frequent night-watches, and similar acts which weaken the body prematurely and bring on sickness.

When called to hear the confession of a sick Sister who cannot leave her bed, it is the confessor's duty to see that some person accompany him to the door of the cell. The latter is to be left open, so that the confessor can be seen by the person who is in waiting, but not within hearing distance.

He is to guard with special care the seal of the confession, both toward the religious themselves and toward externs; and if he holds conferences before the assembled Sisters, he should be particularly careful that his remarks should arouse not the least suspicion that in his instructions he is making use of knowledge obtained in the confessional. Hence it is advisable that the spiritual instructions occasion-

ally given to the Sisters, should not come from the confessor, but from some other capable priest. It is certainly unbecoming for a confessor to make a practice of instructing the assembled community before confession, with the idea that greater fruit would be derived from such an act; such a custom brings, among other considerable inconveniences, danger to the inviolability of the sacramental seal.

VI. DIRECTION OF SOULS CALLED TO THE CONTEMPLATIVE LIFE OF PRAYER.

Although the confessor is to shun the practice of leading his penitents by extraordinary ways, yet, at times, he will meet with souls that are called to various degrees of mystic contemplation. This is particularly the case in communities whose members, being separated by canonical enclosure, give themselves to the contemplative life of religion. To such the confessor is not to show himself altogether incredulous and unapproachable; but he should proceed with great caution and modest diffidence, lest he himself and his penitent be both wretchedly deceived. In order to test the spirit of his penitent, he should, with great prudence and discretion, try her by frequent humiliations; he should never show to her any surprise at the extraordinary things which she relates of herself, but apparently make little of such things. But when he has once plainly recognized that his penitent is actuated by a good spirit, and that the supernatural gifts which she receives humble her, and make her more and more observant of the rule and of conventual discipline, then let him act with great care, lest he underrate the gifts of God and extinguish His spirit in the soul. If on the one hand he has to deal with a subject full of danger, it is, on the other, one rich in heavenly merit. The priest needs, in such a case, to give himself with assiduity to humble prayer, in order to obtain the grace necessary to act as a safe guide and director of a soul seeking, through the operation of the Holy Ghost, perfect union with her divine Spouse. He must also study the writings of theologians where he finds

sound principles, as the works of St. Thomas, and those of St. Theresa and St. John of the Cross, which explain and illustrate the teaching of mystic theology. But in all cases he will do wisely to inculcate the fact, that whatever supernatural gifts are bestowed in the mystic way, they are not to be confounded with the virtue of perfection, but that they are simply means—however extraordinary—which are intended to lead the soul to perfection; that perfection does not consist in that union with God which mystic theologians term *passive* union, but that it consists, in every case, and in every state, in an active union of divine charity, that is to say, in the perfect conformity of the will of the creature with the will of its Creator, through the bond of charity.

VII. THE EXTERNAL MANAGEMENT OF THE CONVENT DOES NOT BELONG TO THE CONFESSOR, BUT TO THE RELIGIOUS SUPERIORS. IT IS OF THE GREATEST IMPORTANCE, FOR THE RIGHT GOVERNMENT OF A COMMUNITY, THAT THE CONFESSOR ACT IN HARMONY WITH THE SUPERIORESS OF THE HOUSE.

Every confessor should understand, that the external regime of a religious household does not belong to him, but to the legitimate superiors in whose name the appointed Superioress of the community acts. Hence, unless the constitutions of the Order expressly give him this power, he has not the right to dispense from the rule or the constitutions; rather, is it his duty to urge and advance their observance to the utmost of his power. It should be his policy, in the first place, to support and strengthen the authority of the Superioress with all the Sisters. Let him not give ready ear to, or connive with, religious who for some imaginary cause complain of her; even when there seems to be good reason for the complaint, it is his wiser part to be slow and guarded in his answer, lest the authority of the superior, so essential to the right government of a community, be in any way weakened. While he places before the complainant the merit of obedience, and the advantage of peace and union, in

the meantime he may seek an opportunity, or, in certain circumstances, it may become even his duty, to advise the superior of the subject of complaint; but in a prudent and discreet manner, so as to avoid the danger of violating the sacramental secrecy. For the rest, it may be laid down as a sure maxim, that, where the confessor and the Superioress of a religious house are united, provided both are led and actuated by a right spirit, there the community is certain to make good spiritual progress; whereas there is every danger of the destruction of the religious spirit, in a community where the spiritual director and the head of the house are in discord. At the same time, the confessor is to avoid all such relations with the Superioress as would lead his penitents to infer that, on occasion of complaint against her, his absolute dependence on the judgment of the Superioress would very likely make him partial, in her favor.

VIII. EXTRAORDINARY CONFESSORS.

The ecclesiastical ordinances decree that an extraordinary confessor is to visit the convent several times during the year, especially during the Ember weeks, in order to give the religious an opportunity to confess to him. The Sisters are not obliged to make a confession to him; but they should not omit to present themselves before him, ask his blessing, and receive his words of admonition. While the extraordinary acts as confessor, the ordinary confessor is not to visit the convent. Let the former be on his guard not to detract from the authority of the ordinary confessor, by a serious departure from the accustomed manner of directing the souls committed to his charge for the time. If there is any occasion for interfering with the usual method, he should be careful not to find fault with the ordinary confessor before the Sisters, but rather should excuse and defend him. When his duty is done, he should not return to the convent, unless expressly called for, and above all he should avoid private correspondence, even about spiritual matters, with any of the Sisters.

The S. Congregation (under date of Dec. 17, 1890), has

declared it to be the right of religious to set aside, occasionally, the usual confessor, or even the extraordinary confessor appointed for the time, and to confess to some other priest, provided he has proper jurisdiction. When this happens, let the ordinary confessor beware of showing any marks of displeasure, nay, let him, by every means in his power, foster and protect this liberty of his penitents to open their consciences as they incline. He will thus prove that in the performance of his priestly duty, he does not seek himself, but rather the salvation of their souls.

At the end of the three years during which the usual approbation as confessor lasts, he should do nothing in the way of urging his re-appointment; for the Holy See does not usually grant such re-appointment, unless through urgent necessity.

As regards the confessor who is called, for special cause, out of the ordinary, let him keep in mind the declaration of the S. Congr. of Bishops and Regulars (Feb. 1, 1892), viz. "that the disposition of article IV of the decree *Quemadmodum* (which deals with the subject of extraordinary confessors who are to be allowed, at times, to religious) makes an exception from the ordinary law *only in cases of true and absolute necessity*, whenever the Sisters feel themselves obliged to this course," hence "if confessors called for on such occasions, happen to know that there is no really good reason why a penitent should call for them, they are bound in conscience to decline hearing the confessions of such Sisters."

PHILIP CARD. KREMENTZ,
Archbishop of Cologne.

THE SIMPLE VOWS OF THE PROFESSED RELIGIOUS IN THE UNITED STATES.

SOME time ago, the Promoter General of the Franciscan Minorites asked the Holy See, what course superiors of religious houses were to pursue in the case of professed religious who had made simple vows, but concerning whose

perseverance subsequent doubts arose. He supposed the case of a religious who, after profession, showed a lack of aptitude for certain duties belonging to the religious state, or who exhibited certain defects, arising either from thoughtlessness or from want of judgment, but on account of which, he or she became rather a source of disturbance and disedification to the community than a help. The defects spoken of had not, it appears, shown themselves before profession; at least, not to such an extent as to warrant the belief that they were incorrigible.

The doubt proposed by the Procurator General was, whether such defects, if recognized and attested by the immediate superior of the religious in question, were of sufficient gravity to permit said superior to recommend the religious for a dispensation or dismissal, without requiring any judicial examination. It was stated in the proposal, however, that the case of sickness was not included among the reasons for which a professed religious might be dismissed.

In reply, the S. Congregation said, that the Holy See had once for all left the decision of such cases to the judgment and conscience of the Superiors.

We believe the application of this decision is of practical and far-reaching importance, particularly to the religious communities of women in the United States. It is well known that, with the exception of the nuns of the Visitation, all our religious make *simple* vows.

This restriction, which permits the taking of *solemn* vows only to those communities of the Visitation Order which had this privilege in virtue of previous Rescripts, has been defined by Decree of the S. Congregation, in a letter addressed to the Archbishop of Baltimore, September 30, 1864. According to this Decree, the novices of the Visitation Order, in specified convents of the United States,[1] are, at the

1 Vota quae a Monialibus a Visitatione B. M. V. nuncupatis emittuntur in monasteriis locorum Georgetown, Mobile Kaskiaskias, S. Aloysii et Baltimorae, vi rescriptorum a S. Sede ab iisdem jam obtentorum esse solemnia. (Lit. S. C. Ep. et Reg. ad Archiep. Balt., September 30, 1864.)

expiration of their novitiate, to be admitted to *simple* vows, and if they have faithfully persevered in these *for a space of five years*, they take *solemn* vows. In the meantime, they enjoy the same rights and privileges of the order as those who have made their final solemn vows.

With regard to all other religious communities of women in the United States, the Holy See directs that they take *simple* vows only, unless they have a special Apostolic Rescript sanctioning the taking of *solemn* vows.

The difference between the *simple* and the *solemn* vow, as applied to religious communities of women in the United States, is :

Religious who profess with *solemn vows* make a perpetual engagement, by which they surrender themselves to the service of the Church, and the Church *solemnly accepts this engagement.* The religious who make *simple* vows bind themselves in the same manner, but the Church does not explicitly accept the offering, so that the nun who takes the simple vow remains always liable to forfeit the privilege of conventual life, and to be dismissed from the community. Solemn vows, therefore, imply a mutual or *reciprocal* engagement, between the religious who offers herself and the Church who accepts the offering. Hence, the solemn vows once having been accepted, none but the authority of the Sovereign Pontiff can release the religious from her obligation. Simple vows, on the other hand, are made with the tacit understanding, that as long as the religious devotes herself to the duties of the institute into which she is admitted, she enjoys the spiritual and temporal advantages of the order. But the order does not bind itself to this engagement, unless the candidate proves, by her devotion to duty, that she is worthy of the benefit which she has received.

It may be asked, why the Holy See insists upon making a distinction from which the old religious orders were more or less exempt.

The answer may be traced in the necessity of the religious life adapting itself to the quickly varying requirements of modern society. This has caused some of the old orders to

change their methods, and even the scope of their work. It has obliged the contemplatives, in some cases, to open schools, asylums, etc. It has forced the mendicant orders to become self-supporting institutions. Besides, new orders of a more or less local and ephemeral character, spring up every day. They serve their generation, under the blessing of God and the guardianship of the Church. The Holy See gives its tacit or open approbation to their work; sometimes it endorses their rules, sometimes, but more rarely, it approves in express terms the constitutions of these new orders. The bishops direct and protect these pious communities; and, ordinarily, they enjoy special faculties to release the professed from their simple vows, whenever such release is shown to be for the benefit of the individual or the community.

The necessity of dispensing from the simple vows, occurs more frequently at present than formerly. The reason of this is that the number of candidates who, in this country, present themselves for admission to the offices of religious life, is comparatively larger, and more varied, than in the past; mainly because the obligations of the religious life are less severe, and the conditions of admission less stringent, than in Europe, or in the older institutions. Formerly, a postulant had to pay a considerable sum of money on her entrance; it served as a guarantee of her maintenance in the community during the time of her probation, or as long as she was a simple beneficiary of the house. This is rarely required now, if there is any prospect that the candidate will persevere; and, in most cases, superiors are very glad to give postulants a fair chance to try their vocation; for, whilst the number of applicants is sufficiently great, the remnant of those who sincerely seek religious perfection, is small.

While the facility thus given to honest souls, of entering religion, is highly desirable, it opens incidentally the way to others, who see in the peaceful activity of conventual life only a refuge from the embarrassments and disappointments of the world. In the convent they have a home, good com-

panionship, the honor of the religious profession, and a protection against all the mishaps to which persons in secular life are exposed. This view necessarily invites many a young girl, much more those of maturer age, to knock at the gate of a religious house for admission.

We do not say that these motives are always consciously entertained, for it is quite possible that the postulant is deceiving herself, and, while she imagines that she is seeking God and the service of her neighbor, she is looking in reality only to herself. Moreover, it is quite possible that such persons may develop a true vocation, when, recognizing their real motive, they set about, by prayer and fidelity to grace, to labor as obedience directs them, in the works of the religious institute in which they find themselves placed. As regards the superiors, they are not always able to determine the true inwardness of a novice, during the time of her probation. The very fact that the novitiate is a trial-time, during which the candidate feels her dependence and inferiority, makes submission and conformity to the rule a sort of virtuous necessity. Faults are repressed or covered, but not always drawn up by the root. Thus the solid foundation required for perseverance in the religious life, is wanting. When the time of profession arrives, the novice feels the elating sensation of her new dignity, perhaps not realizing that she assumes fresh responsibility in her solemn promise of fidelity to her vows, and to the interests of the institute. After a time, the absence of the salutary restraint which guarded her in the novitiate, gives freedom to speech and action, and the old disposition returns, often with the quiet though unexpressed feeling "I am now a religious of equal right and privilege with those professed before me." Where there is not a great fund of good practical sense, and, we may add, of natural humility, this sort of professed accession is apt to breed trouble in a community, which it may be very difficult for a superior to check or counteract. The faults are not in the nature of grave or open violations of rule. They are usually such as betoken an absence of the true religious spirit of self-sacrifice, yet they mostly escape

the exact naming of wrong-doing before others. A nun may be poor, yet not poor in spirit; she may be obedient to the letter, yet sullen and morose in the manner of complying with a command. She may perform the daily task appointed her, and still give endless concern to others, on account of the slipshod and careless way in which she does the work; she may be most bland in expressions of charity, yet in look, or by insinuation, by the very sound of her voice, or the movement of her head, she may wound others with the poison of malice, and scatter its infection upon those around her; she may be as proper and correct as the pure snow, yet as frivolous as the dancing flakes.

What can a superior do in such a case, if she has not the right of exercising her power of discretion? The old canons prevented the dismissal of a religious who had made solemn vows, and demanded careful inquiry on the part of the ecclesiastical superiors, who represent the Church, because the presumption was always in favor of a religious who had taken upon her such serious obligations as are implied in the perpetual *solemn* vow, and also because the Church is party to the contract, by having solemnly accepted this vow. But these reasons do not exist in the case of those who take *simple* vows, especially under the conditions of which we have spoken.

To obviate the above-mentioned difficulties, some of our religious communities do not admit their professed nuns to perpetual vows, until they have passed four or five years of probation *after* the regular novitiate of two years. This places a wholesome restraint upon the newly professed, who make their vows from year to year; and it gives the superiors a better opportunity of testing their vocation.

But, in reality, there is not any difference between the vows made *in perpetuum* and the vows taken for a year, so far as the religious who makes either is liable to be dispensed, or dismissed, in case she show any lack of a true vocation.

We see, then, why the S. Congregation refuses to interfere

with, or restrict the freedom of superiors of religious houses to act upon their conscientious judgment and responsibility, in the case of subjects who have made simple vows. With this view accord also the terms of the Faculties, usually granted to our bishops in regard to dispensing from the simple, though perpetual, vow of religion. The bishop is to give the dispensation only upon request of the superioress and her assistant counsellors, or, as the terms of Fac. Apost. Form. 1, n. 4, express it: "Dispensare possunt, si ipsi graves rationes ita exigere coram Deo judicaverint, praehabita tamen petitione Superioris vel Superiorissae, consentientibus ejus consiliariis, ne scilicet dispensatio forte sit in praejudicium tertii."

It may not be apparent, at first sight, how this matter of the binding force of simple vows affects the ministrations of the clergy. Yet it does so in two ways, namely, in their capacity as confessors of religious communities, and, again, as spiritual directors of souls who appeal to them for a decision regarding their vocation, and who rely upon them for a definite recommendation to some religious community.

We need only say a word regarding the latter in this connection. A confessor or spiritual director, no matter how keen his discernment, may be deceived in his judgment concerning a vocation. Happily this judgment, whether right or wrong, is but one factor in the divinely guarded privilege of a special call. Humanly speaking, the priest forms his estimate upon good evidence, but that evidence is mostly limited, and cannot be compared to the experience of those who live in daily intercourse with the postulant, or to the opportunities of judging which a mistress of novices has, during two or three years of probation. It is not expedient, therefore, to determine in advance as unquestionable, a vocation which may turn out to be but a pious wish without stability, or even a pious fraud. The wisest confessors yield but reluctantly to the importunities of devout souls to enter religion; they put them off, make them pray a long time to discover the divine will, subject them to many tests, and pre-

sent the religious life in the severest colors. When finally they are convinced that there is a strong bent in the direction of a religious life, they yield, yet only with such reserve as to make disappointment impossible, and to leave open every opportunity for a return of the postulant to her former life, in case she finds it necessary to leave the convent. A postulant ought to be sent to a religious house in a very quiet and tentative manner; the friends who are informed of the matter, ought to be cautioned that there is no question as yet of becoming a nun, but only of *trying her vocation*, and that their ward may return at the end of her probation, and even later. In the same way, letters of recommendation should merely state facts. A priest only stultifies himself by overdoing the praises of a young woman who may be very pious and attractive, and yet have no spirit from which to fashion a religious. Sometimes religious superiors are sadly put about in order to evade, without offence, the ill-will or remonstrances of a priest who has recommended a candidate manifestly unfit for religion, yet who believes her to be a saint.

But it suffices to have indicated these relations, and to have shown what the engagement of *simple* vows means. A confessor will do wisely *in most cases*, to await the ultimate judgment of the superior befores he come to any definite conclusion regarding the vocation of his penitent, who needs no other assurance than that she is free to try her fitness for the religious vocation.

As to confessors of novices, they will find in the general principles suggested by the preceding paper, sufficient warning against the indiscreet assumption that the severity of religious superiors toward their subjects needs checking, or that the reverend mothers do not understand their own business. If such cases exist, we must assume that they are rare, and even then it is better that an individual subject who is, even though innocently, an element of dissatisfaction in a community, should yield her place, rather than that contention and disedification should be allowed to spread its contagion through the entire body.

THE ENCYCLICAL "PROVIDENTISSIMUS DEUS."[1]

PART I.

THE turning of the wheel of time often makes strange changes of relative position. One of the most remarkable of these, in our own day, is the altered attitude of Catholicity and Protestantism toward each other, in reference to the Bible. Time was, when Protestant scholars held a position which was extreme and exclusive, in respect to the Bible as the sole proximate rule of faith for Christians. They, indeed, rejected several books from the canon, as being merely human compositions. But, in respect to all others, they asserted the very strictest doctrine concerning their inspiration and infallible authority, their completeness as a manual of doctrine, and their clearness in the declaration and exposition of divine truth. For them, the Bible was in the proper sense of the term, the word of God; a book whose author was the Holy Spirit; given to all, and to each one in particular, as an immediate and all-sufficient guide and rule in all things pertaining to religion and salvation.

On the other hand, it was one of the chief tasks of the teachers of Catholic doctrine to refute the extreme and exclusive doctrine just mentioned. It is the Catholic position that the Bible, although a part, the principal part of the remote rule of faith, is not the sole and exclusive rule, is not the proximate rule, and is not placed directly by God in the hands of individuals to learn from it by their private reading the truths of the Christian religion.

Hence the appearance to the world at large that Protestants have been arguing for, and Catholics against, the Bible; the one side Biblical, the other anti-Biblical.

Now, however, the wheel has turned. Some Protestants, of a truth, remain steadfast to their tradition. But many

1 Salvatore M. Brandi, S.J. *La Questione Biblica e L'Enciclica "Providentissimus Deus" di S.S. Leone XIII.*—Roma, 1894. Direzione ed Amministrazione della *Civiltà Cattolica*: Via di Ripetta, 246.

Charles Robert, Orat. *Les Etudes Bibliques.* Résponse à "L'Encyclique et les Catholiques Anglais et Americains."—Paris: Berche et Tralin, 1894.

others, and they among the most conspicuous, have wandered away from their ancient position, and have taken up others, more or less remote from it; some of them, indeed, altogether hostile to any claim of the Bible, not merely as an infallible and altogether divine book, whose author is the Holy Spirit, but as in any sense which is special and proper, inspired of God. Critics have gone to work to tear both Testaments in pieces, to destroy even their human credibility, and to throw their leaves into the waste-basket. Defenders and apologists have not been wanting, both learned and acute; but even some of them, daunted and confused by the onslaught from so many directions, with so many new weapons, and with such determined fury, have sought, by concessions and compromises, to make good their escape, or to establish some sort of truce with neologism and rationalism. The resemblance is striking between them and the huge Chinese battle-ship around which the swift Japanese cruisers made their circuits at a safe distance, pouring in a rapid and destructive cannonade, to which the Chinese guns could make no offensive reply.

It has come to pass, therefore, that the Catholic Church looms up as the defender and champion of the cause of the Holy Scriptures, of their inspiration and authority, as the word of God, and the book whose author is the Holy Spirit. And accordingly, the Roman Pontiff, raising his voice, and addressing the whole world, has proclaimed in his recent encyclical: "This is the ancient and constant faith of the Church, defined also by a solemn judgment in the Florentine and Tridentine Councils; confirmed finally, and more expressly declared, in the Vatican Council, by which it is absolutely decreed: *The entire books of the Old and of the New Testament, with all their parts, as these are enumerated in the decree of the same (Tridentine) Council, and are contained in the old Latin Vulgate edition, are to be received as sacred and canonical.*

Moreover, the Church holds them as sacred and canonical, not for the reason, that having been composed by human labor only, they have been then approved by her authority; nor

solely, for the reason that they contain a revelation without any error; but because that having been written by the inspiration of the Holy Spirit, they have God as their author. Wherefore, it is altogether irrelevant, that the Holy Spirit employed men as instruments for writing, as if something false might have slipped out, not indeed from the primary author, but from the inspired writers; for He Himself in such wise excited and moved them to write, in such wise assisted them while writing, that all and only those things which He commanded, they should both rightly conceive in their mind, and will to write down with fidelity, and should express the same with infallible truth; otherwise, He would not be Himself the author of the entire Sacred Scripture."

Every theologian knows that the Holy Father, by this language, is only declaring and giving sanction to the doctrine of the greatest Fathers and Doctors of the Church. Besides, Calvinists, Lutherans, Episcopalians, Presbyterians, and others, have, in the past, held and taught the same doctrine with great strictness, in respect to the books of their own canon.

It is the divine authorship of all parts of the Sacred Scriptures, which is the direct and primary object of all this teaching of ecclesiastical authority and of private doctors. And this, indeed, is by far the most important, even the only essential doctrine in the case. It is of vital importance for us to know, what are the authentic sources from which the Teaching Church must be instructed and informed respecting the dogmatic and ethical truths, and the precepts of the divine and Christian revelation. Where is the pure, unerring word of God to be found? When we know that the canonical books received by the Church are all inspired throughout, and are the Written Word of God, and that they are accompanied, interpreted and supplemented by Catholic and Apostolic Tradition, we know the whole essential truth in the matter. The chief point is, that the Holy Spirit is their Author, and their teaching, therefore, pure, unmixed truth. When we read there, "the Word was God," and "the Word was made flesh," we know that it is God who

says these things to us, and not St. John telling us of his own personal belief or opinion.

However, since the Holy Spirit employed different men, from Moses down to St. John, during a period of more than fourteen centuries to write the sacred books, these are questions of some importance and of great interest, relating to their inspiration, and their attitude as secondary authors toward the primary Author, and toward the compositions which came from Him through them, as His instruments for writing.

There are two tendencies, in opposite directions, among those who admit in a general sense the divine inspiration of the Scriptures. One is to minimize the action of the divine Author, the other to minimize the action of the human instrument. Following this latter direction, some have represented a sacred writer as a passive instrument, a mere amanuensis, writing from dictation, word for word, the messages of the Holy Spirit to mankind. Doubtless, there are sentences in the sacred writers, in which they have simply recorded the words spoken by our Lord, only translating them into Greek, or in which they use the words suggested to them by the Holy Spirit. For instance, in the Apocalypse, St. John, transmitting to the angels of the seven churches of Asia the messages of Jesus Christ, appears as a mere amanuensis, writing from the dictation of the Holy Spirit. And so, wherever it was requisite, we cannot doubt that in revealing divine truths, especially mysteries, there was a *verbal* inspiration. Yet, as a general theory, applied to all parts of the sacred writings, this purely passive instrumentality of the writer and the *verbal* inspiration of the text is not probable. It is an extreme view, and is obsolete. Cardinal Mazzella, whose strictness in doctrine is well known, rejects it decisively. He distinguishes between the formal and the material part of a sacred book. The formal part is that which God intends *per se*, and which must proceed from Him in order that He may be the Author of the book. The material part, the style, choice of words, and what can be written in various ways, without prejudice to

the intended sense, may be left to the industry of the writer, subject to the divine supervision.[1] Hence, the individuality of the writers is preserved as perfectly as if their composition were purely human, though elevated to an intellectual and moral plane, above their natural level. F. Brandi says: "The sacred writers are not mere passive instruments" (p. 27). They are mediums through whom God communicates His revelation. As intelligent and moral agents, they receive the motive influence of the Holy Spirit in their intellect and will; and they co-operate with the Holy Spirit, the principal Author of their books, in an intelligent and voluntary manner. Thus, the sacred books have really Moses, David, Isaiah, Paul, John, etc., as their authors, in a subordinate sense, as well as the Holy Spirit. They are divine-human works; products of the combined action of the mind and will of God, and the mind and will of man. God speaks to us in the Bible, but He speaks through the concepts, intentions and language of men. His word is not identical with the Hebrew and Greek words used by Moses and Paul. It is His divine concept intended to reach our mind through a human medium, and the written sentences in which it becomes at last embodied are something material, distinct from the formal part, variable, and therefore separable. The first verse of Genesis is formally the word of God, not only in the original autograph of Moses, but in our printed Hebrew text, in the Greek, Latin and English versions, "Eli, Eli, lamma sabacthani," "Deus, deus meus ut quid dereliquisti me," "My God, My God, why hast Thou forsaken me," are of equal value as signs of the dying plaint which Jesus addressed to the Father. It is plain that it behoved the Divine Providence, in giving to the Church the Bible as one authentic source from which to derive its teaching of Christianity, to protect the transmission of the genuine text, in so far as this was requisite to its purpose, and, moreover, to qualify the ecclesiastical authority to guarantee the substantial integrity and correctness of versions. The Latin Vulgate

1 De Virtut. Inf. Disp. IV. art. 4 nn 936-38. Roman edition.

is truly the word of God, notwithstanding accidental errors and dubious readings, which are not wanting, either, in the originals, guaranteed to us by the supreme authority in the Church. The English Bible, in the Douay version, and in Archbishop Kenrick's revision of the same, is the word of God, guaranteed by an ecclesiastical authority, sufficient to remove all doubt.

The so evident distinction between the formal and material part of the Bible, and the reference of the latter to human industry, necessarily gives rise to many questions. There may be discussion, even among Catholic theologians, respecting certain points. But among scholars who do not recognize any authority over them there must be, and there is, a wide latitude of opinion. Those who deny the inspiration and authority of the Bible altogether, do not come within my purview. Some who admit both tend, as I have said, to reduce them to a minimum. They, more or less, and in varying measures, enlarge the human and diminish the divine element in the Scriptures.

For instance, the theory proposed may represent the Scriptures as principally human compositions, containing certain parts which were written under the influence of divine inspiration. Or the inspiration may be supposed to extend over the whole composition, yet so as to leave the writer free to mingle with it, or include in it, something purely his own, and, therefore, subject to human defects and errors.

Now, it is plainly one principal object of the Encyclical to teach that the Scriptures cannot be regarded as composed of distinct parts, some inspired, and others uninspired. On the contrary, it is all inspired, and in all its parts. There is not, in any book one author, viz., God, who is the author of one part of it, and another author, viz., a man, who is the author of the remainder; but both God and the human writer are conjointly authors of the whole, yet God as the principal author, and a man as His instrument or medium; so that every part must be ultimately referred to God, who is responsible for all that the human writer has said. He has not been allowed to omit anything which God intended he should

write, or to add anything beside or beyond what God willed him to say. God can intend to speak only truth, and cannot intend to speak falsehood. Therefore whatever God intended that the sacred writer should say must be true; and there can be no error in what he writes under divine direction, since, if there were, it would not be finally and solely imputable to himself, but to God.

The inerrancy of the Holy Scriptures is thus clearly and distinctly taught by the Holy Father.

This does not, however, clear away all obscurity. For there is such a thing as *absolute* truth and such a thing as *relative* truth. A given proposition or statement, capable of more than one sense and interpretation, may be true in one sense and false in another. In a literal sense, it may be false; in an accommodated, analogical or metaphorical sense, it may be true. We must know the sense in which God intends to speak, before one can find out what is the truth made known through the language of an inspired writer. We may make a mistake in this regard, and ascribe something erroneous or false to the inspired writer and to God, although we think it to be the truth. In past times, starting from the postulate that the Bible contained the truth, the whole truth, and nothing but the truth, interpreters of Scripture have taken for granted, that God intended to reveal a system of cosmogony and astronomy, and a number of other things belonging to natural science. When new scientific theories were broached which contradicted what they fancied to be the science taught in the Bible, they raised a great outcry against them; while, on the contrary, vehement assaults have been made on the Bible, which science has proved to be erroneous. Accordingly, the Encyclical admonishes us, that God did not intend to teach us the intimate constitution of visible things, since that knowledge would not promote our salvation, and that, therefore, what the sacred writers say about such matters, is according to the appearance which they present to the senses, to the common modes of speech, and, in a human way, suited to the understanding of those whom they were addressing; just as when we say: "The sun and the moon

rise in the east and set in the west," there is a relative truth in a certain sense, though not absolute truth in the literal, scientific sense, in the expression; so, also, as the Holy Father has expressed it, "The sacred writers described and dealt with things in more or less figurative language . . . or put down what God, speaking to men, signified, in the way men could understand and were accustomed to."

The inerrancy of the Scripture, therefore, does not signify the technical, precise, or scientific accuracy of every sentence, phrase, or term whatsoever. Truth as affirmed, and error as excluded, have a relative sense. Figurative language, human and common modes of expression, accommodated to the popular apprehension, in order that what is intended by the verbal signs may be understood, are true in their intended sense. If another sense is ascribed to them, there may be something false and erroneous asserted under the title of Scripture doctrine, which is, nevertheless, only the error of the interpreter. For example, it has been asserted that the geocentric theory of the old astronomy is categorically taught in Scripture, and is a revealed doctrine; and this is still preached by the Rev. John Jasper. A man who believes that this interpretation is correct, and at the same time knows the scientific truth of the heliocentric theory, is obliged to conclude, either that the Scripture contains no divine revelation, or that there are human errors in it, co-existing with divine truths. There is no way out of this *cul de sac;* no way of holding to the inerrancy of Scripture, and also the unerring truth of all genuine science, except the one which the Holy Father, the Vatican Council, St. Augustine and St. Thomas, and all sound theologians have pointed out. There can be no contradiction between the word of God in nature, and the word of God in Scripture. If there is an apparent contradiction, it results from ignorance, either of the teaching of science, or the teaching of Scripture, or both at once. Where there is a collision between what is called Scriptural doctrine and what is called scientific truth, it is a contradiction either between two counterfeits, or between one genuine and one spurious pretence. In the latter case, if genuine science be on one

side, it must be a misinterpretation of Scripture which is on the other; if there be genuine doctrine of Scripture opposed by some scientific hypothesis, the latter is pseudo-science. Where it is a mere clash of opinions and conjectures, the combatants may be left to fight it out, since faith is not involved. If, after due investigation, and the last endeavors to elucidate the teachings both of the book of nature and of the Bible, there remain difficulties in the way of discovering the complete truth, and harmonizing faith with science, this is nothing strange; and it is both an unscientific and an irreligious proceeding to sacrifice one truth for the sake of another, instead of patiently enduring the uncertainty and waiting, if perchance a solution may be found at some later period, as has often been the case heretofore.

The principles of interpretation thus far laid down, suffice for clearing away much of the obscurity, and many of the difficult questions, which in past times have given trouble to inquirers seeking to explore the different realms of truth.

The postulate that the material part of Scripture is distinct from the formal part and must be referred to human industry, whence it comes to pass that the word of God is transmitted through a human medium, somewhat as light passes through a prism, leads us to consider how many different applications this principle may require, in the interpretation of Scripture. The thesis of the Encyclical admits of, and requires, a great deal of explication and comment, in order to make these special applications. As prior documents of the same kind have always been subjected to this elucidating process, so likewise will this present Encyclical. And it is rather to thorough Biblical scholars, than to dogmatic theologians, that we must look for this kind of service.

It is evident, that althongh for docile Catholics it will be enough to know what the Church teaches, respecting the nature of inspiration, and the inerrancy of the Holy Scriptures, this will not suffice for those who are not within the fold of the chief Pastor.

It is necessary, therefore, to examine every instance in

which any part of Scripture is accused of contradicting some other part, or of making an erroneous or false statement, whether scientific or historical. It must be shown in detail, and minutely, that the inerrancy of Scripture is defensible on rational and critical grounds; that no allegation of error can be proved; understanding, of course, that the discussion turns on the genuine and correct text.

As respects scientific questions, the main controversy may be regarded as substantially over. It arose and was kept up, mostly by reason of some antiquated and private opinions and interpretations of Scripture, which have gradually been passing away. There is no real antagonism between faith and science. This becomes every day more apparent, through the progress which is made in the cultivation of that part of theological and Scriptural science, and that part also of natural science, which to a certain extent have topics and a domain in common. The Church does not interfere with the just liberty, or any of the real rights of those who are devoted to the investigation of facts and the construction of theories, in the various branches of science. The most learned and esteemed authors of Catholic works in Apologetics, Scriptural Exegesis, and whatever branch of sacred science has some relation to topics of secular science, take very enlarged views, and extend the limits of free opinion very far in several directions. Although some of these may regard others as too lax, and be regarded in turn by them as too rigorous, in applying the criteria of orthodoxy to objects of discussion, on the whole, by common consent, there is an open and free field accorded to scientific theorizing, especially where there is a general consent of the competent to the certainty or probability of any theories. Moreover, there are some Catholics, and even ecclesiastics, who hold a high rank among scientists, as for instance, F. Secchi, F. Moigno, M. Faye, M. Lapparent, some of the principal contributors to *La Revue des Questions Scientifiques*, and in this country, F. Searle, F. Zahm, and others. All the educated have at least an elementary knowledge of the principal physical sciences, and are convinced that what is taught by the con-

sent of competent authorities as being genuine and solid science, is not only tenable without prejudice to faith, but actually true. Not to speak of astronomy, on which there is a unanimous consent, there is a solid and well established science of geology, of cosmogony, of zoology and cognate matters. Ethnology, chronology, etc., come under the same category.

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(*To be continued.*)

THE LIBRARY OF A PRIEST.

FOURTH ARTICLE.

DEPARTMENT OF CANON LAW.

THE formation of a library in the department of Canon Law, may be made upon a two-fold basis, accordingly as the object is, either the pursuit of the practical duties required from a canonist, or else the scientific study of the subject matter, in the light of the specialist. In either case, it will be necessary to have a thorough acquaintance with modern ecclesiastical law, and with the different modifications which the legislation of the Church has undergone in successive ages. The specialist in Canon Law requires a solid knowledge of the sources, and of the various critical works which refer to the subject. We shall therefore arrange the works which properly belong to the department of Canon Law, in two main divisions; namely, *A.* Works *useful* to the *practical Canonist; B.* Works which a *specialist student of Canon Law* should have in his library.

It is needless to say, that this list can make no pretention to being complete or exhaustive, in each of its sub-divisions.

Nor do we consider every one of the works mentioned as essential to the completeness of a private library; nevertheless they should all be more or less known to the student; and no collection in a University, Ecclesiastical Seminary, or Episcopal Chancery, can afford to be without them.

A.—WORKS USEFUL FOR THE PRACTICAL CANONIST.

CORPUS JURIS CANONICI. This is the fundamental source, and a requisite of every canonical library. There are many critical editions made after the Roman of 1582 (5 vol.), any of which will serve the purpose of reference. As one of the best, we would recommend the *Edit. Lipsiens. secund. post Aemil. Lud. Richteri curas instruxit Aemilius Friedberg. II part.* (*Leipsic 1879-1881*).—If it is possible to procure an old edition with glosses, the opportunity should not be neglected.

CONCILIUM TRIDENTINUM.—*Pallottini.* Collectio Omnium Conclusionum S. Concil. Trid., 1564 ad 1860. (Romae typ. S. C. de Prop. Fide).

COLLECTANEA S. Congregationis de Propag. Fide. This contains Decrees, Instructions and Rescripts, for missionary countries. The best edition is that of 1893.

ACTA SANCTAE SEDIS. A periodical publication, which gives the new decrees of the S. Congregations. It is well to procure the volumes of the last few years, for reference to recent decisions.

LAURIN, FR. *Introductio in Corpus Juris Canon.* cum brevi Introduct. in Corpus Juris Civil. (Freiburg. 1889). One of the best among numerous manuals, as an aid to a just estimate and right interpretation of the foregoing sources.

COMPLETE COMMENTARIES.

Among the Commentaries to Canon Law, some follow exactly the order of the Decretals; others explain only certain determined portions of the text. To the first order belong:

ENGEL, LUD. *Collegium Universi Juris Canonici.* (Salisb. 1671; 15th edit. 1770).

PIRHING, ERN. S.J. *Jus Canonicum.* 5 vol. fol. (Diling. 1675.—Venet. 1727.—Col. Agripp. 1759.)

REIFFENSTUEL, ANACL. *Jus Can. Univers.* juxta titulos libr. V. decretal. 3 vol. (Monach. 1702.—Rom. 1829 et iter.—7 vol. 4to., Paris, 1870.)

SCHMALZGRUEBER, *Jus. Eccl. Univers.* 5 vol. (Ingolst. 1726.—Romae, 1843-1845.)

BERARDI, C. S. *Commentar. in Jus Eccles. Univers.* 4 vol. (Aug. Taurin. 1766 et iter.)

DEVOTI JOAN. *Juris Canon. Universi Libri V.* Only three volumes have been printed (Romae, 1827).

ANGELIS, PHIL. DE. *Praelectiones Juris Can.* 3 vol. not complete. (Romae 1877-1880. Edit. nov. 4 vol. 1888–1891.)

GRANDCLAUDE, E. *Jus Canonicum.* 3 vol. Paris 1882-1883.

SANTI, FR. *Praelectiones Juris Canon.* juxta ordinem Decret. Greg. IX, libri. V, (Ratisbonae 1886).

On special topics of Canon Law it is well to consult the following

PARTIAL COMMENTARIES.

CUJACIUS, J. *Recitationes ad II, III, IV Libr. Decret.* (Lugduni 1606).

FAGNANI, P. *Jus Canonicum* (Romae 1659; Colon. Agripp. 1704; Col. Allobr. 1759).

TELLEZ, GONZ. *Commentarium Perpetuum* in V Libr. Decret. 5 vol. fol. (Lugduni 1673, 1713.)

LAYMANN, P. *Jus Canonicum* (Dilingae 1666; 1698).

GIRALDI, U. *Expositio Juris Pontificii*, 3 vol. (Romae 1769; 1829.)

There are different other works conceived on a systematic plan, which come within the present department. We cite as especially worthy of attention the following:

BARBOSA, A. *Juris Universalis Ecclesiastici* Libri III. (Lugduni, 1637; 1660.)

FERRARIS, L. *Prompta Bibliotheca Canonica.* 8 vol. (Migne. Paris, 1852–1858.) There are numerous other editions of seven or eight volumes.

VAN ESPEN, B. *Jus Ecclesiast. Univers* (Col. Allobr. 1702; Col. Agripp. 1777).

BENEDICTUS XIV. *De Synodo Dioecesana.* A work almost constantly referred to in matters of ecclesiastical discipline. Numerous editions. Among the complete works of the Pontiff. (Prati 1844.)

PHILLIPS, G. *Kirchenrecht.* 8 vol. (Regensburg 1872; 1889.) The last volume is by F. Vering. The work is translated into French.

BOUIX, S. *Institutiones Juris Canonici.* There are nine tracts in 12 vol. (Paris 1852–1870.)

SOGLIA, I. *Institutiones Juris Privati et Publici.* (Paris, 1859-1883).

ICARD. *Praelectiones*, (Paris, 1886).

LAEMMER, H. *Institutionen des Kath. Kirchenrechtes*, (Freiburg Br. 1886; 1892).

SANGUINETTI, SEB. *Juris Eccl. Privati Institutiones* ad decretalium ennarrationem ordinatae. (Romae 1884.) The same author has also published *Juris Eccles. Institutiones.* (Romae, 1890.)

SMITH, S. B. *Elements of Ecclesiastical Law.* This work is of special use to American students, inasmuch as it has been written with reference to the existing discipline of the Church in the United States. It embraces Vol. I, *Ecclesiastical Persons.* Vol. II, *Ecclesiastical Trials.* Vol. III, *Ecclesiastical Punishments.* Nine editions. (New York, 1878-1893.)

VERING F. *Kirchenrecht* (Freiburg Br. 1893).

Each branch of Canon Law has been separately treated by a large number of authors. Among those of special interest to priests in the United States must be mentioned:

SMITH S. B. *The Marriage Process in the United States*, (New York, 1893).—*New Procedure in Criminal and Disciplinary Causes*; an explanation of the Instr. S. C. "Cum Magnopere." (New York).

MESSMER S.G., present Bishop of Green Bay, who edited *Fr. Droste's* work on *Canonical Procedure* in Disciplinary and Criminal Cases of Clerics. Likewise an excellent com-

mentary on the instruction "Cum Magnopere." (New York.)

KONINGS, A. *Commentarium in Facultates Apostolicas* quae Episcopis et Vicar. Apost. concedi solent. The third edition by Rev. Jos. Putzer, C.SS.R. entirely remodels the work and brings it up to date. (Ilchester, 1894.)

NOTA. We take the liberty of adding here our writer's own work on Matrimonial Causes, of which we have had occasion to speak in a previous number of the REVIEW as deserving high praise for its practical and accurate character. (EDIT.)

PÉRIES, G. *Code de Procedure Canonique dans les Causes Matrimoniales*, (Paris, 1894).

It is needless to mention, that the *Acta et Decreta* of the Second and Third Plenary Councils of Baltimore are essential books, in this category of works on Canon Law, for our clergy. In connection with which, we call attention to a commentary written primarily for class purposes, by a Jesuit professor of the American College at Insbruck, entitled :

NILLES, NICOLAI, S.J. *Commentaria in Concilium Pl. Baltim. III*, ex Praelectionibus Academicis excerpta. contains some excellent points of interpretation, but was never intended for general circulation. (Oeniponte, 1888.)

B.—PRINCIPAL SOURCES FOR THE SPECIALIST.

It would be impossible to enter thoroughly into the science of Canon Law, and to comprehend in its details the mechanism of ecclesiastical legislation, if one were to set aside the study of the history of Canon Law. To point the way in the direction of this study, we suggest a number of works which may serve as guides, and which we group under the common title of

BIBLIOGRAPHY AND LITERATURE.

Among such works the following are the most important :

WALTER, F. *Fontes Juris Ecclesiast. Antiqui et Hodierni* (Bonnae, 1862).

MAASSEN, F. *Geschichte der Quellen und d. Literatur* d. canon. Rechts im Abendlande bis zum Ausgange des Mittelalters. (Wien, 1870; Graz.)

SHULTE, I. FR. v. *Geschichte der Quellen und d. Literatur* des canon. Rechts von Gratian bis auf die Gegenwart. 3 vols. (Stuttgart, 1875, ff.)

SAVIGNY, FR. K. v. *Geschichte des Roem. Rechts im Mittelalter.* 2nd edit. (Heidelberg, 1834-91.) There is a French translation of this work.

It is frequently an advantage to have by the side of modern authors, those who have traced the way for them. Among these may be mentioned in particular: DOUJAT, *Praenotat. Canonicae;* PANZIROLI, *De Claris Legum Interpretat.* libr. IV. (Venet., 1637. Lips., 1721); SARTI, *De Claris Archigymnas. Bonon. Profess. a saec. XI-XIV.* tom. I, 2 part. (Bonon., 1769-1772).

These works give some insight into the composition of the various collections of ecclesiastical law, and into the sources whence the parts are drawn. Thence opens a wide field for research among ancient documents and the commentaries made upon various "finds" by the Catholic *savant.* Such as:

FUNK, FR. X. *Die Apostol. Constitutionen* (Rottenburg, 1891).

BRYENNIOS PHILOTHEOS. edit. Διδαχὴ τῶν δώδεκα Ἀποστόλων (Constantinople, 1883).

FITZGERALD. *Teaching of the Twelve Apostles* (New York, 1894). On the same subject we have S. ORRIS, HARRIS, HALL, E. CRAVEN (New York, 1884), and JACQUIERS (Paris, 1891).

PROBST, FR. *Die Kirchl. Disciplin in d. ersten drei Jahrhunderten.* (Tübingen, 1873.)

ACHELIS, H. *Die "Canones Hippolyti."* Bk. I. of "Quellen d. orient. Kirchenrechts." (Leipzig, 1891.)

DE LEGARDE. *Reliquiae Juris Ecclesiast. antiquissimae* (Lips. 1856).

COTELER. *Patres Apostolici* (Paris, 1672; London, 1746).

PITRA. *Juris Eccl. Graecae Historia et Monumenta.* 2 vol. (Romae, 1864-1868.)

HEFELE, K. J. *Conciliengeschichte.* The work begun in 1855, was brought up to the Council of Trent by Cardinal Hergenroether, who wrote the VIII and IX volumes. (Freiburg, second edit. 1890.) Has been translated into French, and part of it into English.

Besides this exhaustive work, we have the grand collections of LABBE, HARDOUIN, MANSI, the excellent *Collectio Lacensis*, 7 vols. (Freiburg), in which the acts and decrees of the different national Councils are brought together.

In the study of Pontifical Documents, much help and pleasure is afforded by:

CONSTANT. *Epistolae Rom. Pontif.* (Paris, 1721); THIEL, *Epistolae Rom. Pontif. Genuinae*, (Braunsberg, 1867); JAFFÉ, PH. *Regesta Rom. Pontif.* (Berlin, 1851, and a new complete edition, Leipsic, 1881).

POTTHAST, A. *Regesta Roman. Pontif.* ab anno 1198 ad 1304 (Berol., 1873-1875); and PRESSUTI, *I Regesti de' Romani Pontifici*, (Rom., 1874), which completes the work of Potthast.

LOEWENFELD, *Epistolae Roman. Pontif. ineditae.* (Lips. 1885.)

To this list we have only to add the *Regesta* of the Sovereign Pontiffs, an admirable collection made by the students of the French school in Rome.

Upon the subject of the so-called false Decretals, it will be best to consult

FOURNIER, P. *De l'Origine des Fausses Décretales* (Paris, 1889,) and SIMSON *Die Entstehung der Pseudo-Isidorischen Fälschungen in Le Mans.* (Leips., 1886.)

From a more general point of view the works of the brothers PETR. and HIER. BALLERINI *De Antiquis Collectionibus* (Venet. 1757), and the admirable edition of the *Liber Pontificalis*, with commentaries, by the Abbé DUCHESNE will prove of advantage to the canonist.

Finally, to those who would enter still deeper into the development of Canon Law, we would suggest the following works, which, though they are not to be accepted as sure authorities in every case, are nevertheless of great merit and importance:

AGUSTIN, ANT. *Epitome Juris Pontificii Veteris.* Terrac. 1586; Rom. 1614.

PONSIO, I. *De Antiquitate Juris Canonici* secundum titulos Decretalium. (Spoleto, 1807.)

DU PIN, L. E. *De Antiqua Ecclesiae Disciplina* (Paris, 1686; Mogunt. et Francof., 1788). Affected with Gallicanism.

THOMASSIN, LUD. *Vetus et Nova Ecclesiae Disciplina circa Beneficia.* 3 vol. (Paris, 1725; Lips. 1728; Mogunt, 1787, nine volumes.)

DE MARCA, P. *De Concordia sacerdotii et imperii.* (Paris, 1641; Edit. Boehmer, 1708; Venet., 1770; Bamberg, 1788–1789, four volumes.) Gallican in its tendency.

RUPPRECHT. Notae Historicae in Universum Jus Canonicum. fol. (Ven. 1764.)

G. PÉRIES.

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CONFERENCES.

THE OFFICE SPINEAE CORONAE IN LENT.

Qu. The Office "Spineae Coronae" is set down in the Ordo for the 8th of March—the Friday after the first Sunday in Lent. I could not find this Office in my Breviary, one of the latest (Pustet) editions; so I substituted the Office "*Lanceae et Clavorum,*" which is given in the Breviary for that day, (Fer. VI post Dom. I Quadrag.)

But, contrary to the head-lines of the Breviary, the Ordo gives this Office, "Lanceae et Clavorum," for the following Friday—the 15th of March.

There is something wrong, either with the *typical* Breviary, or with the *Ordo*, though it has the Bishop's *Imprimatur.*

Will you kindly call attention to this error, so it will not recur next year and confuse half the clergy, who are forced to lose time in hunting for an Office that has no existence.

Resp. There is nothing wrong, either with the *typical* Breviary, or with the Ordo. Look in your *Pars Hiemalis* for the Lenten Office "Spineæ Coronae," which *ordinarily* occurs early in Lent, and therefore in the winter portion of the ecclesiastical year. It happens that we do not follow the same order, in the succession of the Passion Offices, as that which is given in the Breviary.

The reason of this is to be found in the petition made by the Fathers of the early Baltimore Council (1840), who asked for a number of specially privileged Offices for the American clergy, and named the days they would like them to occur on.

Among these are the Offices of the Passion, slightly changed from the old order.

SEAL-BIRDS ON DAYS OF ABSTINENCE.

Qu. Does the privilege, which exists in the Southern States, of eating seal-duck on days of abstinence, extend to all parts of the country?

Resp. "De his optima regula est" says Ballerini (Opus Morale Vol. II, Tract. VII, sect. I, 12), "ut servetur consuetudo, et aestimatio fidelium in diversis locis pensetur; si enim haec adsint, non sunt inquietandi aut vexandi fideles."

In other words, wherever this species of sea-fowl is commonly reckoned in the same category of food as turtles, lobster, frogs, oysters, etc., which though they cannot be called fish, are nevertheless held to be lenten food, there the practice of serving seal-duck is licit. Some regard as included in this category even the meat of beavers, others, coots and other semi-marine animals which live almost exclusively in the water and obtain their food there. "Pisces aut habentur aut saltem iis acquiparantur limaces, testudines, ranae, locustae, conchae, viperae, et juxta quosdam *fibri* (castori), *lutrae*, *anates* cujusdam speciei, *fulicae*, et quidam addunt *corvos marinos*. (Ball. loc. cit).

THE CELEBRATION OF HOLY WEEK

IN CHURCHES WHERE THE BLESSED SACRAMENT IS NOT CONSTANTLY KEPT.

Qu. My assistant and I attend to the needs of several churches. The ceremonies of Holy Week are always performed in the principal church, at which both of us reside. In one of the mission-churches, Mass is regularly said two Sundays in each month, and occasionally on week-days. We would wish to give the good people of this mission the benefit of the beautiful service of Holy Week, feeling sure that they would greatly appreciate it and co-operate to make it as solemn as possible. But I believe a decree of the S. Congregation, (which I cannot find at present in Muehlbauer, but which I am sure I have seen on a previous occasion), forbids the performance of the Holy Week service in churches where the Blessed Sacrament is not permanently kept.

1. Has that decree been modified, or repealed, within recent years?—or

2. Is it to be interpreted literally? and, if not,

3. Can the Ordinary, of his own authority, give permission to have the Holy Week ceremonies performed in a church where, as in the above case, the Blessed Sacrament is not permanently kept?

Resp. There has been no repeal or modification of the decree referred to, which answers the question, "*an liceat, in ecclesiis in quibus non asservatur SS. Sacramentum, celebrare Missam feria V in Coena Domini, et in sepulchro idem Augustissimum Sacramentum asservari?*" by, "*Non licere.*" —(S. R. C. Die 14 Jun. 1659, in Neapol.)

The Pastoral Instructions of the late Bishop of Alton, which contain many admirable comments on the sacred functions, have the following pertinent words on this subject:

"The Bishop of the diocese may allow the functions of Holy Week to be performed in all public chapels in which he allows the Blessed Sacrament to be kept, provided the functions be performed *cum pompa et concursu, i. e.*, with splendor, and in presence of a concourse of people. . . . When any of these conditions are wanting, he cannot allow the functions to be performed in such chapels." (Past. Instr., 1880, Chap. V, Functions of Holy Week, page 45, n. 119.)

Hence it must be concluded that the ceremonies of Holy Week may not be performed in the case. We have, however, on a previous occasion (ECCL. REVIEW, vol. viii, p. 299–230), expressed our belief, that the above decree was not intended to include churches from which the Blessed Sacrament had been removed *for a time, and for some good reason.* Thus, the ceremonies may be performed in a hall or temporary structure, while the church is being built, although the Blessed Sacrament is not kept in the hall, but in a private chapel of the parish house. In such a case, the Blessed Sacrament may be said to be kept in the parish church, although it is not actually in the identical building which serves that purpose for the time.

PARENTS AND CATHOLIC SCHOOLS.

We give below a recent decision of the S. Congregation de Propaganda Fide, regarding the duty of Catholic parents in the United States, to send their children to the parochial school, unless the danger of otherwise neglecting the proper religious education of the latter is fully prevented. The document makes it clear that the provisions of the Council of Baltimore, which give the Bishop discretionary power of enforcing this obligation, remain intact.

The Fathers of the last Baltimore Council say explicitly: We, therefore, both lovingly exhort and authoritatively enjoin upon Catholic parents the duty of procuring for their children, whom they love, and whom God has entrusted to their care, and who have been regenerated in baptism, and are destined for heaven, a truly Christian and Catholic education. Let them protect and safeguard these children, during the whole time of their youth (toto infantiae et pueritiae tempore), against the dangerous influences of a purely secular education. Hence they shall send them to the parochial school or to some other school *truly Catholic*, unless where the Bishop believes that, under particular circumstances, he may permit an exception.

By this canon, each Bishop was constituted judge of the matter in his own diocese; and wisely so, because the actual condition of Catholic education greatly differed in different localities. It is well known that difficulties arose when, a few years ago, the liberal wave began to sweep the country with the sound of a new interpretation, according to which there was to be a general move toward union between the Catholic parochial and the colorless, or infidel, public schools. A somewhat new system, got up in a Western town, and heralded throughout the whole land by traveling advocates and servile newspapers, was to be the pattern and model which would in a short time make all the Irish and German folk American. Then, some of the Bishops began to be charged with excessive severity and an un-American spirit, because they had used their right of declaring unworthy of

the Sacraments parents who refused to support Catholic schools, and who would not send their children to them, on the open plea, that "the public schools were good enough for them," and that "their children got enough religion in the Sunday school."

The antagonism created useless and hurtful contentions, and the Holy See wisely silenced the storm. But we must not suppose the old laws and the old orthodox and generous spirit of the Church, which acts like a mother, sometimes severe, sometimes indulgent, yet always kindly and for the best interests of her children, have changed. We are just now where we were nine years ago, with the decrees of the Council of Baltimore in full force. Only last month, one of our Bishops, feeling that the cold undercurrent which was making against the parochial school system still chilled the zeal of some of his clergy in behalf of a thoroughly Catholic education, asked the Holy See three very pointed questions, which we give below, with the answer of the Prefect of the Propaganda. The Bishop had given his interpretation of the above-mentioned passage from the Acts of the Third Plenary Council of Baltimore, and asked whether that interpretation was correct; and, if so, whether the Ordinary was free to use his discretion of declaring parents unworthy of the Sacraments when, through mere obstinacy, they preferred to send their children to the public schools. Finally, he asked whether the Council of Baltimore on this point, was in future to be sustained.

The answer to the *Dubium* came quickly. It praises the Bishop for his zeal in establishing thoroughly Catholic schools in his diocese. It sustains the Council of Baltimore, and emphasizes the discretionary right of the Bishops in carrying out the decrees of the Council. "It is left to the prudent judgment of the Ordinaries, who, taking account of the special circumstances of times, places and persons, are to do with wise discretion whatever they deem most expedient and efficacious for obtaining the desired end."

We give briefly the questions of the *Dubium*, and the reply of the Cardinal Prefect.

DUBIUM.

1. Utrum sensum decreti No. 196 Concil. Plen. Balt. III. et praecipue verba : " Omni qua valemus auctoritate praecipimus," bene intellexerim ?

2. Utrum Ordinarius habeat facultatem, cum debita prudentia parentes, mala voluntate ductos, liberos ad scholas publicas mittentes, sacramentorum receptione indignos censere, donec resipuerint ?

3. Utrum decretum synodale supra memoratum (190) et in futuro sustineri valeat ?

To which the Propaganda, by Cardinal Ledochowski, answered as follows: Responsio ad dubia circa obligationem parentum mittendi filios ad scholas catholicas.

ROMAE die 4 Februar. 1895.

Illustrissime ac Revme Domine :

Maxima quidem laude dignus est zelus Amplitudinis Tuae pro religiosa instructione puerorum istius dioceseos. Id enim consonum est dispositionibus vestri Concilii Plenarii Balt. III. et etiam intentioni Sanctitatis Suae, prout constat ex recentissima Ejusdem Encyclica epistola ad Episcopos Statuum Foederatorum Americ. Sept.; attamen quoad *Modum* obligandi catholicos genitores, ut filios mittant ad scholas parochiales, id relinquitur prudenti judicio Ordinariorum, qui attentis specialibus adjunctis temporum, locorum et personarum, in quibus versantur, id pro sua sapientia decernunt quod magis expediens et efficax existimant pro attingendo exoptato fine.

Interim Deum precor ut Te diu sospitet,

Amplitudinis Tuae,

Addictissimus Servus,

M. *Cardinal* LEDOCHOWSKI, *Praef.*

ENGLISH PRAYERS AND HYMNS DURING EXPOSITION OF THE BL. SACRAMENT.

Qu. I have frequently heard it disputed, whether it is allowable to recite English prayers while the Blessed Sacrament is exposed ; as for instance, the "Act of Atonement to the Sacred Heart

of Jesus," or the "Divine Praises," "Blessed be God, etc." In many churches where I have been present at Benediction, I have heard the priest, while the Bl. Sacrament was exposed, recite the "Act of Atonement," either before the "O Salutaris," or immediately preceding the "Tantum Ergo"; likewise, I have heard the "Divine Praises" recited after the Benediction, but immediately before putting away the Blessed Sacrament. Some maintain that there exists a decree of the Sacred Congregation forbidding such practices, as also the singing of vernacular hymns when the Bl. Sacrament is exposed. Will you kindly inform me whether such a decree exists, or if not, whether you think the recital of such prayers, at such a time, a good and proper custom.

Resp. Prayers and hymns, as above described, are permitted during the "Benediction" of the Blessed Sacrament. What is forbidden is the turning of the *liturgical* prayers and chants into the vernacular and substituting them for the prescribed Latin forms. Thus the *Tantum Ergo*, the *Te Deum*, as well as the Versicle *Panem de Coelo* and the *Oration*, may not be said or sung in the vernacular at the public service. This is to preserve intact the uniform liturgy of the Church, and to secure perfect compliance with the rubrics of the Ritual.

What the Church permits in this respect will become plain from the following, comparatively recent, decision given in answer to a question proposed by an American Bishop, and therefore applicable to our conditions and custom.

DUBIUM.

1. Utrum liceat sacerdoti celebranti, ante vel post expletum Missae sacrificium *publice recitare preces vel hymnos in lingua vernacula*, v. g. preces novendiales B. M. V. vel alicujus Sancti, *coram SS. Sacramento publice exposito.*

2. Utrum liceat sacerdoti devotionem SS. Cordis Jesu in ecclesiis publice celebranti, *coram SS. Sacramento solemniter exposito recitare actus vel alias preces* in honorem ejusdem SS. Cordis *in lingua vernacula*, ad auditum populi fidelis adstantis ita ut ad istas preces vel actus respondere valeat.

3. Utrum liceat generaliter ut chorus musicorum i. e. cantorum,

coram SS. Sacramento solemniter exposito decantent hymnos in lingua vernacula.

Resp. S. C. SS. Rit. 27 Febr. 1882 (Leavenworth).

Ad 1. *Affirmative.*

Ad 2. *Affirmative*, seu provisum in praecedenti.

Ad 3. Posse, *dummodo non agatur de hymno "Te Deum" et aliis quibuscunque liturgicis precibus* quae nonnisi latina lingua decantari debent.

THE BIRETTUM IN PREACHING AT XL HOURS.

Qu. Is there any ecclesiastical ordinance regarding the use of the birettum during the sermon? What I want to know, mainly, is, whether the preacher who is accustomed to keep on his birettum during the sermon, can do so also at Forty Hours, especially when he does not preach from the altar, but from the pulpit, and whilst the Blessed Sacrament is hidden from view by the veil or banner commonly used for this purpose?

Resp. There are various decisions forbidding the use of the birettum at sermons during the exposition of the Bl. Sacrament. Adone (Synopsis Canonico Liturgica) says on this point:

"Nullo modo convenit ut caput tegant concionatores quando praedicant vel sermonem habent in ecclesia ubi super altare SS. Sacramentum . . . exponitur, prout fieri solet infra octavam festivitatis Corporis Christi, et quando per annum Oratio continua XL Horarum indicitur; sed ipsi semper capite detecto dum concionem habent coram SS. Sacramento, stare debent, licet SS. Sacramentum sit velo serico obductum." (Cfr. S. R. C. Decr. 22 Sept. 1837.)

THE PRIEST AS SQUIRE IN MARRIAGE CONTRACTS.

The following letter of the Cardinal Prefect of the Propaganda is addressed to Mgr. Janssens, Archbishop of New Orleans. The latter stated to the Propaganda, that according to the old Spanish law in Louisiana, the priest, as representative of a Catholic government, acted as the official witness in all

marriages, even between Protestants. This custom was retained for a long time after Louisiana became a territory; and even now the priest is generally considered an authorized minister. The fact of his being a mere official witness in such cases, renders the custom lawful. We might here suggest that theologians generally distinguish, as to the lawfulness or unlawfulness of such action, accordingly as the circumstances would, or would not, make the assistance of a priest, at times, equivalent to an admission that the marriage contract between persons baptized is not a sacrament.

ROMÆ, li 26 Gennajo 1895.

R. P. D. FRANCISCO JANSSEN, Archiepiscopo Neo-Aureliæ.

ILLME AC RME DOMINE,

Hac occasione respondens alteri tuæ epistolæ mihi datæ die 27 Decembris proxime elapsi, in qua petis utrum liceat sacerdoti catholico tamquam ministrum civilem se habere in celebratione matrimoniorum Protestantium, Amplitudini Tuæ significo id licitum esse, hoc enim casu sacerdos est tamquam testis auctorizabilis.

Interim vero Deum precor ut Te diutissime sospitet.

A. T. Addictissimus Servus,

M. *Card.* LEDOCHOWSKI, *Præf.*

THE RENOVATION OF CONSECRATED CHURCHES.

To the question, whether churches in which the plaster is removed and renewed, require a new consecration, the S. Congregation of Rites answers, *Negative.*

DUBIUM.

Rmus Dñus Episcopus Tridentinus Sacrae Ritum Congregationi sequens Dubium pro opportuna solutione humillime subiecit, nimirum:

An post Decr. in una Senien. die 5 Maii 1882, Ecclesiae consecratae, e quarum parietibus crusta, vulgo intonaco, maiori ex parte disiecta fuit, tamquam execratae habendae sint, ideoque nova indigeant consecratione?

Sacra vero eadem Congregatio, ad relationem infrascripti Secretarii, exquisito voto a Commissione Liturgica, re perpensa, ita proposito Dubio rescribendum censuit, videlicet: *Negative* ad utramque partem. Atque ita rescripsit die 11 Ian. 1894.

† CAI. *Card.* ALOISI-MASSELA, S.R.C. *Praef.*

ALOISIUS TRIPEPI, *Secretarius.*

ANALECTA.

LITANIAE IN LITURGICIS FUNCTIONIBUS ADHIBENDAE.

DECRETUM.

In Sacra Rituum Congregatione duo insequentia dubia excitata fuerunt, nimirum :

I. Quaenam Litaniae publice recitari valeant in Ecclesiis, vel Oratoriis publicis, vi Constitutionis Clementis Papae VIII, et Decretorum, quae ab illius Successoribus Pontificibus promulgata fuere ?

II. Utrum invocationes ad normam Litaniarum, in honorem Sacrae Familiae, Sacratissimi Cordis Iesu, Mariae Perdolentis, S. Ioseph, aliorumque Sanctorum, in Ecclesiis vel Oratoriis publicis recitari possint ?

Sacra porro R. C. in Ordinariis Comitiis subsignata die ad Vaticanum coadunatis, ad relationem mei infrascripti Cardinalis Praefecti, atque audito R. P. D. Augustino Caprara, S Fidei Promotore, re mature perpensa, ita propositis Dubiis rescribendum censuit, videlicet :

Ad I. *Litaniae tantum quae habentur in Breviario, aut in recentioribus editionibus Ritualis Romani, ab Apostolica Sede approbatis.*

Ad II. *Negative.* Atque ita rescripsit die 6 Martii 1894.

✠ Cai. *Card.* Aloisi-Masella, S. R. C., *Praef.*
Aloisius Tripepi, *Secret.*

DIMISSIO PROFESSORUM VOTORUM SIMPLICIUM.

(DECRETUM S. CONGR. EP. ET REG. d. 15 DEC. 1893.)

Votum Fr. Raph. ab Aureliaco, Proc. Gen. Ord. Min. S. F.

Beatissime Pater :

Fr. Raphael ab Aureliaco, Procurator Generalis Ordinis Minorum S. Francisci, ad pedes S. V. provolutus, exponit quod in declaratione diei 12 Junii, 1858, data a S. C. super statu Regu-

larium de votis simplicibus et facultate dimissionis Professorum eorundem votorum legitur: "V.—Licet ad decernendam dimissionem neque processus, neque judicii forma requiratur, sed ad eam procedi possit sola facti veritate inspecta, tamen superiores procedere debent summa charitate, prudentia et ex justis et rationabilibus causis."

Quaeritur ad ampliorem in hac materia dilucidationem, an justa sit ac rationabilis causa idem motivum quod fuisset sufficiens ad novitium a professione arcendum, uti a nonnullis gravitate et dignitate praestantibus tenetur, v. g. aptitudinis defectus ad Ordinis officia, quamvis minora et respective communia obeunda, sicut praedicatoris aut confessarii, vel etiam ineptitudo ad obligationes proprii status adimplendas, sive id oriatur ex animi levitate, vel judicii defectu, ita ut ob hujusmodi causas a Superioribus immediatis recognitas et pro certo affirmatas, professus votorum simplicium potius oneri et perturbationi quam utilitati et aedificationi futurus esset propriae religioni (exclusa semper infirmitate post professionem superventa, ob quam professus dimitti nequit.)

Et Deus, etc. Sacra Congregatio super statu Regularium super praemissis mandavit rescribi, prout rescripsit:

Non esse interloquendum, cum agatur de re ab Apostolica Sede commissa judicio et conscientiae Superiorum.

A. TROMBETTA, *Pro-Secret.*

Romae, 15 Dec. 1898.

DE OCCURRENTIA OCTAVARUM IN QUADRAGESIMA.

(NOVUM DECRETUM.)

Singulis Dominicis Quadragesimae Omnes Intermittuntur Vel Abrumpuntur Octavae.—In Majori Hebdomada, Omnes Interdicuntur.

Sacrorum Rituum Congregationem solemne habuisse semper sacri quadragesimalis temporis instituta pia moestitia recolere, abunde Rubricae ostendunt, nonnullaque propositis sibi Dubiis responsa, quibus vel cessare praescripsit vel abrumpi Octavas in feria IV Cinerum atque in Dominica Passionis, quamvis peculiari Indulto consessas. Nuper vero, cum alia suborta fuerint Dubia circa easdem Octavas ad earum quod attinet celebrationem, vel cessationem aut abruptionem in reliquis Dominicis diebus Quadra-

gesimae pro iis, qui illas recolendi privilegio donati sunt, eadem Sacra Rituum Congregatio declarat et statuit: Octavas quascumque pro tempore Quadragesimae, iuxta alias decreta, in posterum non concedi, indultas vero ab antiquiori aevo, non solum in feria IV Cinerum atque in Dominica Passionis, sed etiam in omnibus aliis Dominicis diebus Quadragesimae esse omnino intermittendas vel abrumpendas. Per integram autem maiorem Hebdomadam omnes prorsus octavae, excluso etiam quocumque privilegio, interdictae maneant. Contrariis non obstantibus quibuscumque. Die 22 Maii 1894.

✠ Cai. *Card.* Aloisi-Masella, S. R. C., *Praef.*
Aloisius Tripepi, *Secretarius.*

DE ORDINE COMMEMORATIONUM IN VESPERIS.

DECRETUM GENERALE.

Cum iam alias Sacra Rituum Congregatio praestituerit ordinem in commemorationibus agendis ad Vesperas servandum, maxime postquam Duplicia minora et semiduplicia impedita ad instar Simplicium redigenda Rubricae immutatae indixerunt; ad omnes ea super re controversias dirimendas eadem Sacra Rituum Congregatio declarat et statuit: Post Orationem diei, ante ceteras, commemorationem semper agendam esse de alio cuiuscumque ritus festo, quod concurrat, si locum habeat, deinde reliquas iuxta ordinem, quem seu Rubrica Gen, Breviarii Titul. IX, n. 11, seu Tabella Occurrentiae in eodem Breviario inscripta praecipiunt. Qui ordo sequentis tenoris est: 1, De Dominica privilegiata; 2, de die octava; 3, de duplici maiori; 4, de duplici minori, ad instar simplicium redactis; 5, de Dominica communi; 6, de die infra octavam Corporis Christi; 7, de semiduplici; 8, de die infra octavam communem, ad simplicem ritum pariter redactis; 9, de feria maiori vel Vigilia; 10, de Simplici. Atque ita servari mandavit. Die 2 Maii 1893.

✠ Cai. *Card.* Aloisi-Masella, S. R. C., *Praef.*
Aloisius Tripepi, *Secretarius.*

BOOK REVIEW.

OUTLINES OF DOGMATIC THEOLOGY, by Sylvester Joseph Hunter, S.J.; volume I, first of a Series of Manuals of Catholic Theology. London, Longmans, Green and Co; printed by James Stanley, Roehampton; 1895.; pp. xvi, 525.

We take great pleasure in announcing a continuation of the Stonyhurst Series of Manuals. So far we have been furnished with a complete set of Treatises on Philosophy. As was expected, a new series is begun on the subjects of theology. We have the first instalment before us, in this volume of "Outlines of Dogmatic Theology" by Father Hunter, S.J.

In three volumns the whole subject of dogma, following the order of St. Thomas in his Summa Theologica, will be treated in English. The subject is what is called "Revealed Theology," as distinguished from Natural Theology. This latter title indicates all the science or knowledge of God as attained by the exercise of man's native intellectual powers; and Father Boedder, S.J. treated it in one of the volumns of the Stonyhurst Series of Philosophy. Dogmatic Theology, otherwise called Revealed, rests upon the Revelation which God has been pleased to make of Himself to mankind; and it is this science, so based, which constitutes Theology in the proper sense of the term.

Father Hunter gives in this first volume such an amount of the matter as would be assigned to one year's work in a professional course of three years. But his manner is not professional. He has undertaken the important task of satisfying the needs of that large body of cultured Catholics who cannot enjoy the privilege of studying theology as ecclesiastics undertake it in their full courses. Catholic life in the world, and higher education in our institutions, require the same substance of information which the theological student receives in his regular studies. And for this it is necessary that the matter be treated with the same accuracy, indeed, as in the

Latin courses, but not in the Latin language, nor with the same demands on technical habits of thought. It is the accuracy of exposition, not of argumentation. In fact, it is a well known principle that, as the author says in his Preface, "if both parties to a controversy would only give a clear exposition of what they hold upon the subject, the questions between them would quickly be brought to a decision."

To infuse as much as possible the solidity of professional study into a lucid exposition without argumentation, the author has adopted the following method. He takes up each point and shows how the question arises, and what room there is for any well-grounded difference of opinion, if any such there be. This renders it necessary to explain all the terms employed. Then the Catholic doctrine is stated; and if the question be an open one, admitting of different views, which it is that seems preferable. If objections are grave enough to demand consideration, and if they have not been already anticipated in the introductory explanation, they are taken up next in order. And the writer proceeds to the next subject.

This first volume comprises the following important sections of a theological course: The Christian Revelation, with its credentials of Miracles and Prophecy; the Channel through which Revelation comes down to us, or what is called Tradition; Holy Scripture, with the question of Inspiration; The Church, her constitution and marks; The Roman Pontiff; and Faith, its acts and rule. To all this is appended a little chapter on the Method of Disputation in English, which will be found very useful in our present development of higher scientific teaching.

Thus, the whole purpose of this first volume is to show what is meant by being a Catholic. In two subsequent volumes will come the special treatises on God, Three and One, on Creation, the Incarnation, Grace, the Sacraments and the Four Last Things.

The style of Father Hunter is remarkably clear; his diction has a legal accuracy and is entirely free from any technicalities of foreign turns. This instances a distinct development of the English language as now handled by Catholic writers, who make it rich in Catholic phraseology without detracting from its purity. And, apart from the phraseology, this work enriches the literature itself with a new addition of what has been so long denied to it, the classic statement of truths, which it is the one thing necessary to know and to embody in thought and life.

MEMENTO JURIS ECCLESIASTICI, PUBLICI ET PRIVATI, ad usum Seminariorum et Cleri, auctore F. Deshayes, S. Theol. et Jur. can. Doct., professore Juris can. in Seminario Cenomanensi.—Parisiis, Berche et Tralin, 1895. 1 vol. in-18, pag. 741, broch. fr. relié, 5 fr.

A hand-book of Canon Law which, whilst covering the entire field of the *Jus ecclesiasticum*, would, at the same time, enable the student of theology to master its contents within the last years of the theological curriculum, was up to this time a *desideratum*. The Abbé Pillet published, a few years ago, a small volume which was the nearest approach to what was needed; and the late Dr. Smith prepared a similar compendium, in Latin, for students in our American seminaries. But neither of these approach the completeness and lucid disposition of parts which we find in the Abbé Deshayes' *Memento*. The author takes account not only of the more recent legislation, as we would expect, but he aptly shapes his material, so as to render it accessible and intelligible to those who find it difficult to appreciate the traditional methods of the ancient code. What strikes the reader most favorably, is the abundant and erudite foot-notes, which enable one to pursue any question into its further details, and which serve as a guide to the professor in class, as well as to the specialist, in his search after the source of ecclesiastical legislation. A fine analytical table and a copious Index Alphabeticus greatly facilitate the use of this erudite and practical little hand-book. The applications of the principles of Canon Law to the *Jus particulare Galliae* are wisely reserved for a separate Appendix.

LA DOULEUR ET LA MORT. Entretiens et Discours par le P. Jean Vaudon, Mission du Sacré Cœur. Paris: Victor Retaux et Fils. 1895. Pg. VI, 347.

The author of this book "Entretiens et Discours" is known in France as a man of belle lettres who, apart from his missionary work, has found time for the study of poetry in its best sense, and has written several works of great merit upon literary subjects. In "La Douleur et la Mort" we have more than mere beauty of style, which shows forth that exquisite taste which is so natural to the French. The topics which Pére Vaudon handles, are thoughtful and at the same time realistic—perhaps we had better say, historic, or both. There are some introductory verses—"A ceux qui pleurent," in

which the legend of St. Wenceslas and his servant Podiwin is made to suggest that, by walking in the footsteps of our suffering Master, we keep ourselves protected against the benumbing cold of the world's indifferent ways:

> Vite! mettez vos pas sur les pas de Jésus,
> O frères qui souffrez, vous ne souffrivez plus!

The subjects are, accordingly, the problem, the wealth, the science, of pain:—The Man of Sorrows as an exemplification of the value of pain,—the sufferings and the Souls of Purgatory,—The Sacred Heart in Its sufferings, the Resurrection, and Last Judgment, as affected by sufferings.

The last five themes—St. Peter Claver, Bl. John Perboyre, St. Bernard, Mgr. Verjus, who was the first missionary of New Guinea, and Joan of Arc—are beautiful illustrations of the foregoing developments.

INDIFFERENTISM; or, Is One Religion as Good as Another? By the Rev. John MacLaughlin. (40th thousand.) London: Burns & Oates. 1894.

If there has been at any time a special need of emphasizing the truth, that "outside of the Catholic Church there is no salvation," it is at the present. The principle that asserts the sufficiency of belonging to the "soul" of the Church, although perfectly true, is so broadened and diluted with the vague truism that all men have God for their Father, that the necessity of Catholic dogma entirely disappears in practical discussions on the subject of religion. Fr. MacLaughlin's book is something of an antidote to this dangerous spirit, and the favor with which the little book has been received from the first deserves to be extended. The present popular edition makes a large propaganda in favor of the orthodox teaching possible; and it is the truest charity to aid in dissipating the skeptic indifferentism, so much in vogue in modern society, by placing this little work within the reach of all readers.